

Journal of The Senate

of the

Thirty-Second General Assembly

of the

State of Iowa

WHICH CONVENED AT THE CAPITOL AT DES MOINES,
JANUARY 14, 1907, AND ADJOURNED SINE
DIE APRIL 9, 1907

DES MOINES
EMORY H. ENGLISH, STATE PRINTER
E. D. CHASSELL, STATE BINDER
1907

OFFICERS OF THE SENATE

President :

WARREN GARST,
Coon Rapids, Carroll County.

President Pro Tempore :

JAMES A. SMITH,
Osage, Mitchell County.

Secretary :

GEORGE A. NEWMAN,
Cedar Falls, Black Hawk County.

First Assistant Secretary George A. Wilson, Menlo, Adair County.
Second Assistant Secretary Joseph E. Meyer, Elkader, Clayton County.
Engrossing Clerk Ed. E. Cass, Bedford, Taylor County.
Enrolling Clerk Inez Black, Knoxville, Marion County.
Journal Clerk Cecil Dixon, Rockwell City, Calhoun County.
Journal Clerk J. S. Irish, Des Moines, Polk County.
Sergeant-at-Arms R. B. Huff, Muscatine, Muscatine County.
File Clerk J. G. Cook, Arnold's Park, Dickinson County.
Bill Clerk F. M. Stacy, Osceola, Clarke County.
Postmistress Hester Runyan, Odebolt, Sac County.
Chief Doorkeeper I. L. Hammer, Kellogg, Jasper County.

THE SENATE OF THE THIRTY-SECOND GENERAL ASSEMBLY.

District	Name	P. O. Address	Counties in District	Occupation	Nativity	Years	Age
						in Iowa	
50	Allen, Joseph H.....	Pocahontas	Buena Vista, Humboldt, Pocahontas....	Lawyer and Banker.....	Iowa	36	36
46	Bleakly, John L.*.....	Ida Grove	Cherokee, Ida, Plymouth.....	Retired Merchant	Ireland	34	49
18	Bruce, James E.....	Atlantic	Cass, Shelby.....	Banker and Attorney.....	Iowa	46	46
42	Burgess, Henry C.....	Cresco	Howard, Winneshiek	Lumber Dealer	Maine.....	44	59
12	Clark, Elbert W.....	Grinnell	Keokuk, Poweshiek.....	Physician	Vermont	41	64
16	Crossley, James J.*.....	Winterset	Adair, Madison.....	Lawyer	Iowa	37	37
21	DeArmand, J. A.....	Davenport	Scott	Physician and Surgeon....	Pennsylvania..	40	54
38	DeWolf, Sherman W.....	Reinbeck	Black Hawk, Grundy.....	Lawyer	Iowa	32	32
30	Dowell, Cassius C.....	Des Moines	Polk	Lawyer	Iowa	42	42
33	Dunham, Geo. W.*.....	Manchester	Buchanan, Delaware.....	Attorney	Iowa	47	48
28	Eckles, Charles*.....	Marshalltown.....	Marshall.....	Retired Farmer.....	England	40	66
2	Elerick, James*.....	Douds Leando.....	Jefferson, Van Buren.....	Farmer and Stock.....	Ohio	51	65
31	Ericson, C. J. A.*.....	Boone	Boone, Story	Banker	Sweden	48	66
44	Foley, John.....	New Hampton	Chickasaw, Floyd.....	Banker	Ireland	48	65
35	Frudden, A. F.....	Dubuque	Dubuque	Lumber Merchant.....	Germany	22	52
43	Gale, A. H.*.....	Mason City.....	Cerro Gordo, Franklin, Hancock	Banker	Iowa	42	42
8	Gilliland, Shirley*.....	Glenwood	Mills, Montgomery	Lawyer	Iowa	50	50
17	Hopkins, F. M.*.....	Guthrie Center	Audubon, Dallas, Guthrie	Banker	Iowa	52	52
25	Hughes, John Jr.*.....	Williamsburg	Iowa, Johnson.....	Lumber Dealer	Ohio	50	65
32	Jackson, John H.*.....	Stoux City.....	Woodbury	Lawyer	Wisconsin	22	43
7	Jamieson, William D.....	Shenandoah	Fremont, Page.....	Editor	Iowa	33	33
11	Jamison, James H.*.....	Osceola	Clarke, Warren.....	Attorney	Iowa	46	46
14	Jones, William G.*.....	Oskaloosa	Mahaska	Lawyer	Iowa	45	45
49	Kimmel, William C.*.....	Sheldon	Lyon, O'Brien, Osceola, Sioux.....	Farmer and Stock.....	Pennsylvania..	23	52
47	Kinne, George*.....	Curlew	Clay, Dickinson, Emmet, Kossuth, Palo Alto.....	Farmer	Wisconsin	25	46
23	Lambert, Thomas*.....	Sabula	Jackson	Publisher	Iowa	51	51
4	McKlveen, J. A.* †.....	Chariton	Lucas, Wayne	Physician	Pennsylvania..	40	71
1	McManus, E. P.....	Keokuk	Lee.....	Contractor and Quarrym'n	Iowa	48	48
48	Mattes, Joseph.....	Odebolt	Carroll, Greene, Sac.....	Hardware Merchant.....	Iowa	51	51
29	Maytag, Fred L.....	Newton	Jasper	Manufacturer.....	Illinois	39	49
13	Moon, Edwin G.....	Ottumwa	Wapello	Lawyer	Iowa	36	36
36	Newberry, Byron W*.....	Strawberry Point	Clayton	Lawyer	Ohio	51	53
20	Nichols, J. I.....	West Liberty	Louisa, Muscatine	Farmer	Iowa	51	51
37	Peterson, Chas. F.....	Clarion	Hamilton, Hardin, Wright	Attorney	New York	37	50
19	Saunders, Chas. G*.....	Council Bluffs	Pottawattamie	Lawyer	New York	38	45
10	Seeley, W. B.....	Mount Pleasant	Henry, Washington.....	Banker and Stock.....	Iowa	44	44
9	Smith, Fred N.....	Burlington	Des Moines.....	Farmer and Banker.....	Iowa	56	56

*Term expires 1908. † Elected to fill vacancy caused by resignation of R. A. Hasselquist.

THE SENATE OF THE THIRTY-SECOND GENERAL ASSEMBLY—CONTINUED.

District	Name	P. O. Address	Counties in District	Occupation	Nativity	Years	Age
						in Iowa	
41	Smith, James A.*	Osage	Mitchell, Winnebago, Worth	Retail Lumberman	New York	37	55
24	<i>Stirton, Robert C.*</i>	Monticello	Cedar, Jones	Banker	Scotland	35	45
5	Stookey, Marion F.*	Leon	Decatur, Ringgold, Union	Lawyer	Indiana	45	60
26	Stuckslager, W. C.*	Lisbon	Linn	Banker	Iowa	37	37
3	<i>Taylor, Lewis L.*</i>	Centerville	Appanoose, Davis	Bank Cashier	Kentucky	57	63
6	Turner, Daniel W.*	Corning	Adams, Taylor	Merchant	Iowa	29	29
39	<i>Wade, John F.*</i>	Aredale	Bremer, Butler	Farmer	Vermont	43	47
15	Warren, J. L.*	Pella	Marion, Monroe	Lawyer	Iowa	44	44
45	Whipple, William P	Vinton	Benton, Tama	Lawyer	Iowa	49	49
34	<i>Whiting, Will C.*</i>	Whiting	Crawford, Harrison, Monona	Farm, Lumber, Implement	Iowa	49	49
40	Wilson, A. C.*	Oelwein	Allamakee, Fayette	Druggist	Canada	28	43
22	<i>Wilson, J. L.*</i>	Almont	Clinton	Farmer and Stock	Iowa	49	49
27	Young, Henry*	Manson	Calhoun, Webster	Physician	Illinois	34	60

* Term expires 1908.

Republicans in roman—36. Democrats in italic—14.

ADDITIONAL INFORMATION.

Former Legislative Service—Bleakly, S. 30, 31; Bruce, S. 29, 30, 31; Clark, H. 31; Crossley, S. 28, 29, 30, 31; Dowell, H. 25, 26, S. 29, 30, 31; Dunham, H. 28, 29, S. 30, 31; Eckles, H. 21, 22, S. 30, 31; Elerick, H. 19, S. 30, 31; Ericson, H. 14, S. 26, 27, 30, 31; Foley, H. 22; Frudden, H. 29, 30, 31; Gale, S. 30, 31; Gilliland, S. 30, 31; Hopkins, S. 28, 29, 30, 31; Hughes, H. 27, 28, 29, S. 30, 31; Jamison, S. 24, 25, 30, 31; Jones, H. 28, 29, S. 30, 31; Kimmel, S. 30, 31; Kinne, S. 30, 31; Lambert, H. 26, 27, S. 28, 29, 30, 31; Mattes, H. 29, 30, 31; Maytag, S. 29, 30, 31; Newberry, S. 30, 31; Nichols, H. 29, 30, 31; Saunders, elected to fill vacancy in S. 29, 30, 31; Smith (Fred N.), elected to fill vacancy in S. 28, 29, 30, 31; Smith (James A.), H. 22, 23, S. 28, 29, 30, 31; Stirton, S. 30, 31; Stookey, S. 30, 31; Stuckslager, H. 28, 29, S. 30, 31; Taylor, S. 30, 31; Turner, S. 30, 31; Wade, S. 30, 31; Warren, H. 28, 29, S. 30, 31; Whipple, S. 29, 30, 31; Whiting, H. 29, 30, 31; Wilson (A. C.), S. 30, 31; Wilson (J. L.), H. 25, 26, S. 27, 28, 29, 30, 31; Young, H. 24, 25, S. 30, 31.

Military Service—Allen, Private Co. F, 49th Iowa Infy., S. A. W.; Eckles, Private, Sergt., Lieut. and Capt., Co. D, 34th Ill. Vet. Vol. Infy.; Elerick, Capt. Co. A, 59th Vet. Infy.; Hughes, Sergt. Co. G, 28th Iowa Infy.; Stookey, Private Co. C, 47th Iowa Infy.; Turner, Corp. Co. K, 51st Iowa Infy., S. A. W.

Education—Rural School—Kimmel, Maytag, Nichols.

Common School—Burgess, Ericson, Frudden, Lambert, Smith (J. A.), Wade.

Graded School—Eckles, Elerick, Taylor.

High School—Clark, DeArmand, Hughes, Kinne, Mattes, Stirton, Wilson (A. C.).

Business College—Bleakly, McManus, Wilson (J. L.).

Academy—Foley, Jamison, Mcklveen, Smith (F. N.), Turner, Whiting, Young.

College—Allen, Bruce, Crossley, DeWolf, Dowell, Dunham, Gale, Gilliland, Hopkins, Jackson, Jamieson, Jones, Moon, Newberry, Peterson, Saunders, Seeley, Stookey, Stuckslager, Warren, Whipple.

Married, 45. Widowers—Elerick, Ericson, Gale, Taylor. Single—Dowell.

JOURNAL OF THE SENATE

DES MOINES, January 14th, 1907.
SENATE CHAMBER,

Pursuant to law, the Senate of the Thirty-second General Assembly convened at 10:00 o'clock a. m., and was called to order by Lieutenant Governor Herriott.

Prayer was offered by the Rev. A. J. Haggett, of Des Moines, Iowa.

Senator Hopkins moved that the officers of the Thirty-first 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.

The following officers of the Senate of the Thirty-first General Assembly appeared before the bar of the Senate and were duly sworn :

George A. Newman, Secretary; George A. Wilson, First Assistant Secretary; John L. Gillespie, Second Assistant Secretary; Cecil Dixon, Journal Clerk; John Sherman Irish, Journal Clerk; Miss Inez Black, Enrolling Clerk; R. B. Huff, Sergeant-at-Arms; I. L. Hammer, Doorkeeper; J. G. Cook, File Clerk; F. M. Stacy, Bill Clerk; Hester Runyan, Postmistress; J. H. Stewart, Assistant Doorkeeper; J. H. Carter, Assistant Doorkeeper; L. B. McAlpin, Assistant Doorkeeper; Thomas Hagen, Assistant Doorkeeper; H. H. Buckley, Assistant Doorkeeper; D. W. Riggles, Assistant Doorkeeper; D. S. Sullivan, Assistant Doorkeeper; J. H. Wilson, Private Secretary to Lieutenant Governor; Jeff. Logan, Chief Janitor; P. S. Irvin, Janitor, Cloak Room; William Thompson, Janitor, Toilet Room; Ewing H. Scott, Messenger; Carrol Bennett, Messenger; G. Cleveland Foster, Messenger; H. Nixon Streit, Messenger.

Senator Hopkins moved that a committee of five on credentials be appointed.

Carried.

The President appointed the following committee on credentials: Senators Hopkins, Wilson of Fayette, Newberry, Lambert, Smith of Des Moines.

Senator Crossley moved that the Senate take a recess until the Committee on Credentials is ready to report.

Carried.

The President called the Senate to order.

Senator Hopkins, from the Committee on Credentials submitted the following report, and moved its adoption:

MR. PRESIDENT—Your Committee on Credentials finds the following named, newly elected Senators, entitled to seats in the Senate of the Thirty-second General Assembly, and all are present:

First District—E. P. McManus.
Fourth District—J. A. McKlveen.
Seventh District—William D. Jamieson.
Ninth District—Fred N. Smith.
Tenth District—W. B. Seeley.
Twelfth District—Elbert W. Clark.
Thirteenth District—Edwin G. Moon.
Eighteenth District—James E. Bruce.
Twentieth District—J. I. Nichols.
Twenty-first District—J. A. DeArmand.
Twenty-second District—J. L. Wilson.
Twenty-ninth District—Fred L. Maytag.
Thirtieth District—Cassuis C. Dowell.
Thirty-fourth District—Will C. Whiting.
Thirty-fifth District—A. F. Frudden.
Thirty-seventh District—Charles F. Peterson.
Thirty-eighth District—Sherman W. De Wolf.
Forty-second District—Henry C. Burgess.
Forty-fourth District—John Foley.
Forty-fifth District—William P. Whipple.
Forty-eighth District—Joseph Mattes.
Fiftieth District—Joseph H. Allen.

We also find the following holdover Senators entitled to seats in this body and all present:

Second District—James Elerick.
 Third District—Lewis L. Taylor.
 Fifth District—Marion F. Stookey.
 Sixth District—Daniel W. Turner.
 Eighth District—Shirley Gilliland.
 Eleventh District—James H. Jamison.
 Fourteenth District—William G. Jones.
 Fifteenth District—J. L. Warren.
 Sixteenth District—James J. Crossley.
 Seventeenth District—Frank M. Hopkins.
 Nineteenth District—Charles G. Saunders.
 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-eighth District—Charles Eckles.
 Thirty-first District—C. J. A. Ericson.
 Thirty-second District—John H. Jackson.
 Thirty-third District—George W. Dunham.
 Thirty-sixth District—Byron W. Newberry.
 Thirty-ninth District—John F. Wade.
 Fortieth District—A. C. Wilson.
 Forty-first District—James A. Smith.
 Forty-third District—A. H. Gale.
 Forty-sixth District—John L. Bleakly.
 Forty-seventh District—George Kinne.
 Forty-ninth District—William C. Kimmel.

F. M. HOPKINS,
 A. C. WILSON,
 B. W. NEWBERRY,
 THOS. LAMBERT,
 FRED N. SMITH,

Committee.

The report of the committee was adopted.

Senator Crossley moved that Senators-elect and hold-over Senators appear before the bar of the Senate and be sworn according to law.

Carried.

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

Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale,

Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clark, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young.

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

Resolved, That the holdover and re-elected Senators be granted the privilege of retaining the seats occupied by them at the last session of the General Assembly, and that the names of the newly elected Senators be placed in a hat and drawn out one at a time by the Secretary of the Senate and as each name is announced each newly elected Senator will select his seat from those unoccupied except seat No. 1, which shall be given to Senator McKlveen on account of age.

Senators Eckles and Jones asked consent of the Senate to vacate their seats and be allowed to select new seats from those to be drawn.

Consent granted.

Upon the drawing of seats, the following selections were made :

Jamieson of Page, 49; DeWolf, 25; McManus, 38; Burgess, 21; Whiting, 27; Frudden, 28; Clark, 11; Eckles, 36; DeArmand, 26; Foley, 19; Nichols, 15; Jones, 45; Mattes, 37; Moon, 5; Seeley, 2; Peterson, 10; Allen, 9.

On request of Senator Newberry, leave of absence was granted Senator Dunham indefinitely.

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

Carried.

Senator Hopkins nominated Senator James A. Smith for President Pro. Tempore of the Senate and moved his election.

Those voting for James A. Smith were :

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frud-

den, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clark, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—48.

So Senator James A. Smith was declared duly elected President Pro. Tempore of the Senate.

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

Those voting for George A. Newman were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clark, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—49.

So George 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:

Geo. A. Wilson, First Assistant Secretary.
Jos. E. Meyer, Second Assistant Secretary.
Ed. E. Cass, Engrossing Clerk.
Inez C. Black, Enrolling Clerk.
Cecil Dixon, Journal Clerk.
J. S. Irish, Journal Clerk.
R. B. Huff, Sergeant-at-Arms.
F. M. Stacy, Bill Clerk.
J. G. Cook, File Clerk.
Hester Runyon, Postmistress.
I. L. Hammer, Doorkeeper.
J. H. Carter, Assistant Doorkeeper.
J. H. Stewart, Assistant Doorkeeper.
W. McFadden, Assistant Doorkeeper.
Thos. Hagen, Assistant Doorkeeper.
H. H. Buckley, Assistant Doorkeeper.
D. W. Riggle, Assisstant Doorkeeper.

D. S. Sullivan, Assistant Doorkeeper.
W. J. Hudson, Assistant Doorkeeper.
Jeff Logan, Chief Janitor.
Theo. Bell, Janitor Cloak Room.
Will Fine, Janitor Toilet Room.

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

Senators Allen, Bleakly Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clark, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—49.

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 permanent officers-elect appeared before the bar of the Senate and were duly sworn.

Senator Maytag offered the following resolution and moved its adoption.

Resolved, That the rules of the Thirty-first General Assembly be in force and effect until the report of the Committee on Rules shall have been adopted.

Adopted.

Senator Ericson offered the following resolution and moved its adoption.

Resolved, That a committee of three be appointed on mileage.

Adopted.

Senator Jamison of Clark offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That a joint committee of three members of the Senate be appointed by the President, and three members of the House be appointed by the Speaker, to nominate such additional employes other than committee clerks, as may be deemed necessary, for the session, including a mail carrier, and recommend the position and compensation of each.

Adopted.

Senator Stookey offered the following resolution:

Resolved, That the President of the Senate be authorized to appoint three messengers in addition to those provided for by the rules.

Laid over.

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

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That a joint committee on inauguration be appointed, consisting of six members of the Senate to be appointed by the President and six members of the House to be appointed by the Speaker.

Adopted.

Senator Turner offered the following resolution and moved its adoption:

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

Adopted.

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 on Mileage: Senators Ericson, Bruce, Wade.

Senator Dowell offered the following resolution and moved its adoption:

Resolved, That W. U. Porter be authorized to place a barber chair in the cloak room for the use of Senators and employes of the Senate.

Adopted.

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

Carried.

Senator Young of Calhoun offered the following concurrent resolution and moved its adoption:

Resolved by the Senate, the House concurring, That the Secretary of State be requested to furnish each member of the Thirty-second General Assembly with the Code and Supplement to the Code and the session laws of the Twenty-ninth, Thirtieth and Thirty-first General Assemblies and annotations.

Adopted.

The President appointed the following committee to notify the House that the Senate was duly organized: Wilson of Fayette, Elerick, Mattes.

The President appointed the following committee to notify the Governor that the Senate was duly organized: Senators Smith of Mitchell, Stuckslager, DeArmand.

The President appointed the following Inaugural Committee: Senators Dowell, Gilliland, Crossley, Jackson, Wade, Wilson of Clinton.

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

Senator Elerick moved that the Senate extend the time of adjournment until the House notify the Senate that it is duly

organized and ready to receive any communications from the Senate.

Carried.

The committee appointed to notify the Governor that the Senate was duly organized reported that they had performed that duty.

Senator Hughes was called to the chair at 11:55 A. M.

A committee from the House announced that the House was duly organized.

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 convention of the two houses of the Thirty-second General Assembly be held Monday afternoon, January 14, at 2 o'clock, and that when the House adjourns it be to 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 to deliver the invitation.

C. R. BENEDICT,
Chief Clerk.

Senator Smith of Mitchell moved that House messages be considered.

Carried.

HOUSE MESSAGE CONSIDERED.

Concurrent resolution relative to holding a joint session Monday afternoon, January 14th, to hear the Governor's message and the appointment of a committee.

The resolution was read for information.

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

Strike out the words "Monday, January 14th," and insert in lieu thereof the words "Tuesday, January 15th."

On the question, "Shall the amendment be adopted?" the amendment was lost.

On the question, "Shall the concurrent resolution be adopted?" the concurrent resolution was adopted.

President Herriott resumed the chair at 12 o'clock M.

Senator Gale offered the following resolution and moved its adoption:

WHEREAS, Seat No. 29 was formerly occupied by Senator C. E. Whiting, father of Senator W. C. Whiting, of this body, be it

Resolved, That Senator Whiting be allowed to exchange his seat, No. 27, for No. 29, now occupied by Senator Gale.

Adopted.

Senator Gale offered the following resolution:

Resolved, That each Senator not given a chairmanship be authorized to select a committee clerk.

Laid over.

President Pro-tem Smith was called to the chair at 12:10 P. M.

Senator Young moved that the Senate adjourn until 1:50 o'clock P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met at 1:50 P. M., pursuant to adjournment, President Herriott presiding.

Senator Elerick was called to the chair at 2 P. M.

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

Senator Young moved that the Senate proceed to the House for purpose of joint session.

Carried.

The President resumed the chair at 2:05 P. M.

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:

Allen, Allred, Anderson, Arney, Balluff, Bascom, Bauman, Beery, Bergeson, Bixby, Blackmore, Bleakly, Bonwell, Brandes, Bruce, Burgess, Calkins, Cassady, Clark of Poweshiek, Clarke of Jefferson, Clary, Conn, Corrie, Cottrell, Crossley, Darrah, DeArmand, DeMar, Dewell, DeWolf, Dodds, Doran, Dow, Dowell, Drury, Dye of Potawattamie, Earle, Eckles, Elerick, Elliott, Ericson, Feay, Feely, Felt, Fenn, Flugum, Foley, Fox, Frudden, Gale, Geneva, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Hickey, Holmes, Hopkins, Hughes, Hume, Inman, Jackson, Jamieson of Page, Jewell, Jones of Montgomery, Kelley, Kellogg, Kendall of Clinton, Kendall of Monroe, Kimmel, Kinne, Koontz, Kull, Lamber, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, McKlveen, McManus, Maben, Mann, Marston, Mason, Mattes, Maytag, Mercer, Meredith, Miller of Dubuque, Moon, Moore, Morris, Newberry, Nichols, Nix, Offill, Paul, Peterson, Pierce, Price, Reaney, Reitz, Ritter, Saunders, Schoenenberger, Schulte, Seeley, Shaffer, Sheldon, Sidey, Smith of Des Moines, Smith of Mitchell, Smith of Wright, Sparks, Springer, Stewart, Stillman, Stirton, Stoltenberg, Stookey, Stuckslager, Sullivan, Swift, Taylor, Teter, Van Houten, Wade, Warren, Webster, Welden, Whipple, White, Whiting, Wilson of Clinton, Wilson of Fayette, Wilson of Tama, Wolfe, Youde, Young—146.

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

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

The motion prevailed.

The President appointed Senator Newberry, of Clayton, on the part of the Senate, and Representatives McDonald, of Carroll, and Earl, of Allamakee, on the part of the House, as the members of such committee.

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

The President of the joint convention then presented Governor Cummins, who read his message, as per previous invitation.

GOVERNOR'S MESSAGE

to the Senate and House of Representatives of the Thirty-second General Assembly.

REPORTS.

In the transition from a General Assembly meeting in the even numbered years to a General Assembly meeting in the odd numbered years, the reports of all State officers, departments and board have not been made for the single year intervening since my last message. Such of them as are required to be made are on file and will exhibit in detail the conduct of the affairs of the State committed to these officers, departments and boards.

FINANCES.

The reports of the Auditor and Treasurer disclose fully and minutely all receipts and all expenditures, and I do no more than to submit them for your consideration.

To aid you in determining the amount that can be appropriated by the Thirty-second General Assembly for payment during the years 1907 and 1908, in addition to sums already appropriated, and upon the basis of the ordinary and regularly recurring expenses of administration, I beg to present the following compilation:

Cash on hand, January 1, 1907.....\$ 731,826.40

RECEIPTS (ESTIMATED.)

Levy 3 mills, 2 years tax (assessed valuation of all property for 1906 \$634,733,822.....	\$3,880,000.00
Taxes from insurance companies.....	600,000.00
Refunds from counties account State institutions.....	1,020,000.00
Fees from State officers and boards.....	550,000.00

Freight line and transportation companies.....	10,000.00
Refunds from State institutions.....	220,000.00
Interest on deposits in banks.....	30,000.00
Collateral Inheritance Tax.....	320,000.00
Federal aid to Soldiers' Home.....	130,000.00
Miscellaneous sources.....	20,000.00
Interest on delinquent tax.....	20,000.00
Total	<u>\$7,511,826.40</u>

EXPENDITURES.

Office Adjutant General.....\$	10,600
Attorney General.....	15,400
Auditor of State (including insurance, bank and building and loan examination).....	75,000
Board of Control, salaries and expenses (including arch. and state agent's salaries and expense) .	55,000
Clerk of Supreme Court (salary and expense).....	13,000
Commissioner of Labor (salaries).....	12,400
Pharmacy Commission (salaries and expense).....	15,200
Custodian (salaries and employes).....	60,000
Dairy Commission (salaries and expense).....	40,000
Agricultural Department.....	7,000
Fish and Game Warden.....	14,500
Governor's Office (clerks and expenses).....	42,000
G. A. R. Department.....	1,500
Library (salaries and expenses).....	23,400
Historical Department.....	32,000
Board of Educational Examiners.....	3,000
Board of Health.....	25,000
Board of Dental Examiners.....	5,000
Board of Veterinary Medical Examiners.....	2,000
Collateral Inheritance Tax Enforcement.....	20,000
District Judges (salaries).....	385,000
Executive Council (salary, clerks and expense)....	20,000
Farmers' Institutes.....	12,000
Freight and express.....	11,500
General Assembly, Thirty-second.....	137,000
Geological Survey.....	12,400
Historical Society.....	15,000
Horticultural Society.....	8,000
Iowa Library Commission.....	11,600
Iowa Weather Service	5,200
Mine Inspectors	17,600
Militia	170,000
Miscellaneous Expenses, Code 36-164-165.....	131,000
Oil Inspection	60,000
Provisional Contingent.....	50,000
Railroad Commission.....	24,000
Secretary of State (salaries and expenses).....	31,500

Superintendent of Public Instruction.....	13,200
Supreme Court (salaries and expenses).....	85,000
State Binding.....	48,000
State Printing	86,000
State University Support.....	426,000
State University Board of Regents.....	2,000
State Normal School, Support.....	239,000
State Normal School, Trustees.....	2,000
State Agricultural College, Support, etc.....	382,000
State Agricultural College, Trustees.....	7,000
Treasurer of State, Office.....	22,300
Teachers' Institutes	10,000
Veterinary Surgeon	13,000
Agricultural Societies	30,000
Bacteriological Laboratory	5,000
State Entomologist	2,000
Sundry Appropriations	20,000
Support State Institutions under Board of Control..	2,900,000
Unexpended Balances—	
State Institution accounts.....	373,000
General Appropriations	355,000
	\$ 6,594,300
Total	\$ 6,594,300
Estimated Receipts, including balance on hand January 1, 1907.....	\$7,511,826.00
Estimated Expenditures, including unexpended balance	6,594,300.00
	\$ 917,526.00
Total	\$ 917,526.00

RECAPITULATION.

Cash and Receipts—

Cash on hand January 1, 1907.....	\$ 731,826.40
Estimated receipts in 1907 and 1908.....	6,780,000.00
	\$7,511,826.40
Total	\$7,511,826.40
Expenditures (including unpaid balances).....	6,594,300.00
	\$ 917,526.40
Balance, January 1, 1909.....	\$ 917,526.40

To this balance may be added whatever sum you may believe the unexpended balances will be and the result will give you the sum that can be used in what is customarily known as extraordinary appropriations, to be paid out in 1907 and 1908. The table is made upon the hypothesis that the general levy will not be raised above three mills.

RESIGNATIONS.

I have received and accepted the resignations of Hon. W. I. Babb, of Mount Pleasant, and Hon. Joseph H. Allen, of Pocahontas, Regents of the State University. These resignations came to me so recently that I believed it to be unnecessary to fill the vacancies by appointments. I bring

them to your attention to the end that you may fill them by election, in the manner provided by law.

PARDONS AND PAROLES.

I submit to you herewith a statement of all pardons and suspensions of sentences issued during the year 1906. It will disclose fully the ground upon which the action was based in each instance. The files of my office, with respect to these matters, are open for the examination of any person who may desire to be more fully informed.

In a former message, I explained at some length the system of paroles which was handed down to me by my predecessor, and which I have endeavored to perpetuate; and I therefore need not enlarge upon the subject at this time. I have, during the year named, issued two pardons, and suspended the operation of sixty-three penitentiary sentences and nineteen jail sentences. Thirty-eight persons have been restored to citizenship. Ten commutations have been granted, four of them for the mere purpose of restoring good time, upon the recommendation of the Wardens, and the others mainly for a few days only, in order to accomplish some special purpose. Twenty-two fines have been remitted, almost invariably upon the application of the Board of Supervisors, the County Attorney, the Auditor, the Clerk, and the Treasurer. I have, during the year, revoked eight of the suspensions, commonly called "paroles." There are at this time about two hundred men under parole making regular monthly reports to my office. The average amount earned by each man is \$46.12 per month. Substantially all the persons who have been paroled are, in so far as I am able to ascertain, living upright, decent, and industrious lives, and I have no reason to change the opinion heretofore expressed with regard to the efficiency of the parole system in building up character and in making good citizens.

I am more than ever impressed with the advantages that would be derived from the indeterminate sentence; and I know that it would be both humane and helpful to convert the penitentiary at Anamosa into a reformatory, and to establish a separate reformatory for women. It is easy to pass these subjects, for most of you do not come into contact with the suffering and sorrow which follow crime, but if you cherish the belief, as I am sure you do, that reformation is one of the objects of the administration of the criminal law, you can not render your State better service than to give these things the best thought of your minds and the best impulses of your hearts.

There were filed in my office during the year 1906 twenty-three applications for pardons on the part of persons who have been convicted of murder in the first degree and sentenced to life imprisonment. Publication has been made as required by law, in each case, and I herewith transmit these applications, together with the proofs of publication, for such investigation and recommendations as you may be pleased to make.

ALASKA-YUKON-PACIFIC EXPOSITION.

There is to be held in the summer of 1909, at Seattle, in the State of Washington, an exposition which has been named the Alaska-Yukon-Pacific Exposition. Its primary purpose is to exhibit the resources and capacities

of the Alaska and Yukon territories in the United States and Dominion of Canada, with a view to the development of the trade between the United States and these territories. I have received a communication from the officers of the exposition, inviting the State of Iowa to participate in it, and I submit the invitation to you, recommending its acceptance.

JAMESTOWN EXPOSITION.

At the last session of the General Assembly, there was extended to the State an invitation to join in a celebration commemorating the first settlement at Jamestown, to be held during the summer of 1907. No action was taken upon it, and therefore nothing has been done with respect to a representation on the part of the State in the Exposition. I still believe that it would be wise and patriotic for the State to make a small appropriation for the purpose of erecting and maintaining a modest Iowa home upon the grounds at Jamestown where our people could concentrate, and in an appropriate way do honor to the event which the Exposition is to memorialize.

AGRICULTURAL DEPARTMENT.

One of the most gratifying developments of the State has been the wonderful growth of the State Fair, under the efficient management of its Board of Trustees. Its entire cost to the State, including the donation by the City of Des Moines, has been \$179,509.25, whereas the present value of the grounds and buildings, conservatively estimated, is \$353,530.00. The annual exhibition has not only become a source of pride to the people of the State, but its educational effect can hardly be exaggerated. Like all other such institutions, it needs multiply, and it will deserve liberal assistance from the General Assembly.

During the year there arose an imperative demand for an extension of the fair grounds toward the south, in the vicinity of the present railway station. Additional buildings are required for cattle, horses, hogs and sheep. These buildings must be situated proximate to the buildings already in existence, and therefore the Board of Trustees believed that six or seven acres of land (which had been divided into lots) lying immediately south of the present line, ought to be acquired. There was no authority to make any such purchase, except upon condition of a sale of a part of the ground already owned. In this situation, the Board of Trustees, after carefully considering the matter, unanimously recommended to the Executive Council the sale of forty acres of the wood land in the eastern part of the grounds, not now in use, and with the proceeds of such sale a purchase of the lots heretofore mentioned. The Council, which had the power under the statute to make the sale and purchase, was deeply impressed with the showing made by the Board, and felt that the further development of the State fair depended upon the proposed enlargement. At this juncture, certain public-spirited citizens of Des Moines, who felt that it would be unwise to sell any part of the grounds now owned, came to the rescue, and themselves purchased the land and lots needed, for a very reasonable price (\$5,875.00) and deeded them to the State of Iowa, with no other agreement than this: that I would bring the subject to the attention of the General Assembly, and recommend an appropriation that would reimburse them for the expenditure which they

have made. I do recommend the reimbursement earnestly. There is no reason why these men should make a donation to the State of Iowa, and they entered into the matter solely because the Board of Trustees and the Executive Council believed that the additional land was imperatively necessary, and that it must be acquired in time to permit the management of the fair to make arrangements for its use during the exhibition of 1907.

STATE BOARD OF HEALTH.

There is nothing in the present law that authorizes the State Board of Health to establish proper regulations respecting the transportation of dead human bodies. In view of the legislation and practice of other states, it has become very important that our Board of Health shall have additional power. I need not enlarge upon the subject, for the need of being in harmony with modern practices will be obvious to the most casual observer. Closely connected with regulations relating to such transportation, is the qualification of undertakers and embalmers to prepare bodies for shipment, and the Board of Health should be authorized to examine persons who expect to perform such work, to issue permits to those who are found to be competent, and to impose and collect such fees as may be necessary to cover the expenses of examination and such other expenses as may be incidental to the added function of the Board.

Having spoken of the Board of Health, I trust you will not look upon it as inappropriate if I mention in this public way the retirement of Dr. J. F. Kennedy, who has been its Secretary for twenty-two years. He has been a zealous, faithful and efficient public servant, and he carries with him, as he leaves the office which he has so ably filled, the respect and esteem of all who know him.

EDUCATIONAL INSTITUTIONS.

The experience of the last year in all the institutions has been most gratifying. They are at this moment more prosperous, more efficient, more distinguished, than ever before. The liberal spirit manifested in the generous appropriations of the half decade just closed is bearing rich and abundant fruit. The fathers and mothers of Iowa who have boys and girls to educate have more confidence in these schools than they had in former years, and therefore the attendance of students is rapidly increasing.

As I have more than once said, our young people are worthy of the best educational facilities that genius, learning, and money can establish and maintain, and we are swiftly nearing the point at which it can be truthfully said that they have as good as the country affords.

Speaking specifically of the institutions, it gives me unqualified pleasure to note that the University has added, during the year, to its student body, a larger percentage than any other university in the country. Its course of instruction has not only been broadened, but at the same time has been made more practical. It is applying more effectually the abstractions of learning to the actual things of life. The fidelity of the Board of Regents, the leadership of its President, and the earnest, capable work of its instructional force, are all to be

commended. I sincerely hope that you will make it possible for the institution to grow until it fully occupies the field which it was established to occupy.

The College of Agriculture and Mechanic Arts is not only maintaining the high standard which was attained under a former President, but the inspiration of its present distinguished head is constantly lifting it up into loftier altitudes of excellence. The conduct of all its departments is efficient in a marked degree, but its agricultural department is especially notable. Every year adds to its victories and makes its supremacy among agricultural colleges still more secure. I sincerely believe that the farms of Iowa have produced, during the past year, an added value, directly traceable to the work of the College, far exceeding all the appropriations ever made for both buildings and support. When material dividends of such magnitude can be declared upon an investment, there ought to be no hesitancy in generously supplying its needs. I do not mention the ordinary requirements for its enlarged functions, but I must be permitted to refer to one matter which I think you may well consider. There are certain fundamental truths in the science of agriculture, of constant application in farming, that can be taught with a fair degree of success by written communication. There are a great many of our boys who can not attend personally upon the courses of instruction given at the college. There are a great many men of mature age who ought to know these things, but who can not leave their work and enroll themselves as students. I believe that a bureau of communication ought to be attached to the Department of Agriculture so as to give these boys and these men an opportunity to learn the common principles of their avocation. If this is done, there will not be a single year in which the wealth added to the State, through the information thus imparted, will not return, by a hundred fold, the money required to maintain the bureau. I hope that no one will construe my recommendation into a desire to lower the standards of education. I understand perfectly that a course of instruction through correspondence must be somewhat superficial and very inadequate, but there is a pressing need for even moderate learning in agriculture, and the subject is peculiarly adapted to courses pursued in correspondence.

The State Normal School, under the supervision of its unexcelled leader, is pressing forward, year by year, and it challenges the just pride of every citizen. It is furnishing to the State and to the country, teachers of the highest qualifications.

CORN GROWERS' ASSOCIATION.

This Association desires a small appropriation to enable it to carry forward more successfully the work in which it is engaged. If I looked upon it as a private affair, I could not be brought to favor the request, but it is really a part of the Agricultural College, and it may fairly be viewed as a branch of our educational system. I believe that the amount it asks would be returned over and over again every year to the farmers, in their increased corn crop.

STATE FISH AND GAME WARDEN.

In his report to me, the State Fish and Game Warden has strongly recommended a radical amendment to our law with reference to hunters' licenses. I have not been able to examine the subject with the care that would warrant me in adopting his opinion and giving it to you as my own. I do, however, bring the matter to your special attention, and ask that you give his recommendation the most careful consideration.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

I have been much impressed with the report of the Superintendent of Public Instruction. He presents many subjects and proposes many changes of the first importance. His recommendations are supported by clear and persuasive argument, and I earnestly hope that every member of the General Assembly will become familiar with his report and carefully think upon the changes he suggests.

INSTITUTIONS UNDER THE MANAGEMENT OF THE BOARD OF CONTROL.

I have no especial recommendation to make with respect to these institutions. I desire only to commend the faithful and efficient administration of the Board during the past year, as in each previous year of its existence. It has, I believe, done everything that could be done for the welfare of those who have been committed to its care.

BACTERIOLOGICAL LABORATORY.

I have taken some pains to become familiar with the work done in the bacteriological laboratory at Iowa City, and its needs for the future. It is my opinion that the General Assembly never made an appropriation of greater benefit to the people of the State than the one which established and which now maintains this laboratory. In the development of medical science, such laboratories have become imperative for the proper treatment of disease, and the preservation of life. The demands upon the laboratory at Iowa City are far greater than it can meet, with its present equipment and appropriation. I recommend an increase in the appropriation for this work.

HISTORICAL BUILDING.

When the contracts now outstanding have been performed, the appropriation made by the last General Assembly for the Historical Building will have been expended. It was known when this appropriation was made that it would not complete the building. I have taken some pains to secure the most reliable estimates for finishing the work, and I am informed that it will require \$78,000.00 to bring the building and grounds to completion. This estimate does not include passenger elevators, furniture, or decoration. The furniture will not require a large expenditure, and upon the decoration you may exhaust a large or a small amount, according to your pleasure. It is most important, however, that the building be finished, so that it can be fully occupied.

In this connection, I desire to call your attention to the Hall of Archives, which has already been set apart in the building, and the work of selecting, classifying, and removing to their new location the archives

which are to be taken from the Capitol. The preparation of the new room, you will naturally consider in arranging for the completion and furnishing of the building, but the work incident to placing the archives in the room may be overlooked. The statute of the Thirty-first General Assembly upon this subject, I assume was intended simply as a beginning; for if you place at the disposal of the director no greater force than is now employed, none of you will live long enough to witness the end of the undertaking. It will require several men several years to do what you contemplate, and I therefore earnestly recommend such an appropriation as may be necessary to carry on the project with reasonable celerity.

DIRECT INHERITANCE TAX.

We now have a statute which levies, under certain conditions, a collateral inheritance tax. The propriety of levying also a direct inheritance tax may well engage your attention. I do not look upon a tax of that character as a method for the reduction of swollen fortunes. I view it solely as another effort to equalize the burdens of society. It ought not to be levied upon small inheritances; but after the proper limit is passed, there is no reason which justifies a collateral inheritance tax which will not also vindicate one upon direct inheritances. I earnestly hope that you will interest yourselves in the subject, and take such action upon it as the best interest of the State requires.

ROSTER OF IOWA SOLDIERS.

I am sure that the failure of the Thirty-first General Assembly to enact a law authorizing the compilation and publication of what is commonly called a roster of Iowa soldiers was a mere mischance. It is a little humiliating to remember that Iowa is one of a very few northern States in which this sacred duty has not been performed. The material out of which such a publication must be compiled is each year disappearing, and it will not be long until it will be impossible to render this acknowledgment to the men whose valor and patriotism are the choicest possessions of the commonwealth.

DESERTION AND NON-SUPPORT.

I repeat my recommendation of a year ago, with increased emphasis, if that be possible, in favor of a law that will make it a crime for a man to desert his family without cause, and to refuse to support, without good reason, his wife and children. We ought to do something to check the rapidly growing habit of repudiating the most sacred obligations which a man ever assumes.

VOTING MACHINE COMMISSION.

While voting machines are not as yet being used in this State to any great extent, the experience of other states has shown that our law ought to be amended in at least one particular. As the statute now is, when the Voting Machine Commission has passed favorably upon any machine, it stands as approved, and may be sold anywhere in the State. It is not always possible for the Commission to discover defects in such

a machine, and when such defects are made to appear by use, there is no power on the part of the Commission or on the part of any other officer to revoke the certificate of approval. There should be an amendment giving either the Commission or some other board the authority to cancel the approval, if, in use, the machine is found to be worthless.

CIVIL SERVICE.

The time has come when Iowa should establish such civil service regulations as will insure the appointment of such employes as properly fall within the scope of a civil service system, upon competitive examinations, with advancements and promotions earned by faithful and efficient service. It is not necessary for me to repeat the argument so well known to you for this plan of appointments to public place. We are all pledged to it, so far as the government of the United States is concerned, and why should we not stand for it in our own commonwealth?

MUNICIPAL GOVERNMENT.

One of the propositions upon which all persons and all parties seem to agree is that the established system of government in our larger cities is hopelessly inefficient. In these days, when franchises to public service corporations have become so important, when the sums expended for public improvements have become so vast, and the expense of administration has so multiplied, the form of municipal government ought to receive the best thought of the General Assembly. I believe there should be a thorough-going revision of our statutes upon this subject. There are wide differences respecting the changes that should be made. My own view is that the representative form of government ought to be preserved. Aldermen should be elected at large, and the city council confined strictly to legislative duties. Power should be concentrated in the mayor, and he should be the responsible administrative head of city affairs. He should appoint the officers who are to administer the law. The protection of civil service should be extended. The compensation of the mayor should be sufficient to call men of the best type and strongest character to the office, and the term be made long enough to enable him to accomplish something. If, however, the term be lengthened, it should be accompanied with the power on the part of the people to remove him from office, through an election called for that purpose upon proper petition.

CLAIM AGAINST THE GENERAL GOVERNMENT.

For many years, there has been pending at Washington a claim on the part of the State of Iowa against the general government, arising out of the sale of public lands within our limits, wherein the consideration was other than money. Other states have similar claims, and the agents who have been appointed by the several states have been vainly attempting to secure such legislation as will result in the adjustment and payment of the demands. I have given the subject sufficient investigation to warrant the conclusion that our claim is a just

one, and that the resistance is not to its merit. The difficulty is that, in the multitude of things which Congress has to do, it is easy to secure delay, and this method of preventing the payment of an honest debt has now been successful for many years. I recommend the passage of a resolution calling the subject specifically to the attention of our members of Congress, and asking them to see to it that the matter is decisively determined, either for or against us, at the earliest practicable moment.

AN ENLARGEMENT OF THE PURE FOOD LAW.

Last year the General Assembly adopted a measure intended to protect the people from fraud and imposition in the sale of adulterated and wholesome foods. It is now in operation and I believe that it will accomplish great good.

Those who are vitally interested in the live-stock industry feel that similar protection should be extended to live-stock foods. I have examined the subject with as much care as has been possible under the circumstances, and have reached the conclusion that their views are sound. I therefore recommend the enactment of a law with respect to such foods, having the general scope and purpose of the act of the Thirty-first General Assembly relating to pure food.

THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, PROVIDING FOR THE ELECTION OF UNITED STATES SENATORS BY DIRECT VOTE.

In obedience to the direction of the Thirty-first General Assembly, I invited the Governors of the several States of the Union to appoint delegates to a convention to be held in Des Moines for the purpose of furthering the application of sufficient States to require Congress to call a Constitutional Convention, to the end that an amendment may be submitted providing for the election of United States Senators by direct vote. In response to the invitation, the Governors of twenty-five States appointed delegates, and the convention assembled in Des Moines on the fifth day of last December. Thirteen of these States are represented by delegates in person, and the remainder through correspondence. The convention was composed of earnest, high-minded, thoughtful men, and the debates, which consumed two full days, were interesting, instructive, and patriotic. The outcome of the convention was the adoption of a preamble and resolutions, as follows:

"Whereas, It is the judgment of this convention that the legislative branch of the general government should be placed more directly under the control of the people of the several States, and

"Whereas, There exists and has long existed a strong popular demand for the election of United States Senators by the vote of the people, and said demand is, in the opinion of this convention, well founded, and

"Whereas, The Constitution of the United States provides only two methods whereby the provision respecting the election of United States Senators may be changed, and

"Whereas, The method ordinarily adopted, of Congress on its own initiative submitting to the several States a proposed amendment, has here-

tofore been ineffective, owing to the refusal of the United States Senate to submit such proposed amendment to the several States, and

"Whereas, There is no alternative for accomplishing the desired reform save by an appeal by at least two-thirds of the States to Congress asking that a Constitutional Convention be called; be it therefore

"Resolved, That while this convention would much prefer that Congress should submit to the several States a proposed amendment to the Constitution for the election of Senators by direct vote of the people, so that the States might pass upon it as a single question, yet inasmuch as the Senate persistently refuses to submit such amendment, it therefore earnestly recommends that the legislatures of the several States do, in pursuance of Article V of the Constitution of the United States, make application to Congress to call a convention for the purpose of proposing amendments to the Constitution of the United States; be it further

"Resolved, That the President and Secretary of this Convention be and the same are hereby instructed to transmit duly certified copies of these resolutions to the Chairman of the National Committee, and of the several State committees of the two leading political parties, also to the Governors of the respective States, to each member of Congress, and to the President. That in transmitting the copies to the Governors of the States, the President and Secretary of this Convention shall enclose a letter urging each of them to lay these resolutions before the legislature of his State."

The Executive Committee will present the subject to the States as rapidly as their legislatures convene, and its members believe that two-thirds of all the States will make the application to Congress for a Constitutional Convention. It will be observed that the resolution does not limit the scope of the Constitutional Convention finally to be called. This is because it was believed that it is not in the power of Congress to limit the convention to a single amendment.

I am profoundly convinced that Senators of the United States should be elected by direct vote. If there ever were reasons for interposing a secondary elective body between the people and their Senators, they have long ago ceased to exist, and in this age there are affirmative and potential reasons for restoring to the voters the full privileges to which they are indisputably entitled. Four times the House of Representatives in the Congress of the United States has passed a resolution for the submission of an amendment upon this subject to the States, but the Senate has persistently ignored the subject. There is no hope that it ever will take the step necessary to give the States the opportunity to express their desires. Therefore, it has become necessary to pursue the other alternative of the Constitution, and call a Constitutional Convention. I know that there are men who fear such a convention, but their fear is groundless, for it can not be believed that the Constitution will be unwisely amended when it is remembered that the members of the Convention, who will themselves be the choicest examples of our civilization, must first agree before any amendment can be submitted to the States, and then thirty-five of the forty-six States must concur before the proposed amendment can become a part of the Constitution. If this be not a sufficient safeguard, we are not fit to live in a free country.

I strongly recommend the passage of a resolution that will be an application to Congress, under Article V of the Constitution of the United

States, for the calling of a Constitutional Convention to propose amendments to the Constitution.

CORPORATIONS.

My observation and experience intensify the conclusions I have twice announced to the General Assembly relative to the organization of corporations. I take one step further and say that it seems to me that one of the imperative demands of the time is to require the articles of incorporation of every corporation hereafter organized to be approved by some tribunal, such as the Executive Council, with the Attorney General added, before they are permitted to be filed. Even this measure of supervision would prevent the establishment of a large number of associations either unlawful and fraudulent in their purpose or imperfect in their plan of organization.

I reiterate my recommendation that no capital stock should be allowed to be issued until some state authority had made examination, and until it had been satisfactorily shown that it had been paid for, either in money or in property, at a fair value. The universal practice of issuing capital stock without any regard to the value paid for it is the fruitful source of more injustice and oppression than any other in which corporations indulge. To permit corporations to issue stock as they now do is no more defensible than it would be to license a pirate to prey upon a defenseless people.

It is believed by many of the most thoughtful students of governmental affairs that the time has come for an annual franchise corporation tax. I concur in that belief. You could add greatly to the revenues of the State, and at the same time place some of the burdens of maintaining the government where they belong, by providing for such a tax.

INSURANCE.

The developments of the year have not changed my opinions with respect to life insurance. My message to the Thirty-first General Assembly is as full and complete upon the subject as I could make it. I beg to refer to it as a whole, but take the liberty of now repeating and emphasizing certain parts of it. I then said, among other things:

"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 policyholders, 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 policyholder 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 allotted to expense is not altogether consumed. From these overcharges in the premium, together with a portion of the interest earned, the surplus is crated, and the general promise is to return this surplus to the policyholder 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 policyholders 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 policyholders shall be ascertained and paid, or otherwise disposed of, every year. In so saying, I do not mean, necessarily, 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 policyholder is absolutely at the mercy of the company. Even if he could overrule, 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 can not) 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 policyholder at the end of each year, then the natural forces of competition between companies, together with the option on the part of the policyholder to surrender his policy if the dividend be not fair and satisfactory, will protect the policyholder from any serious wrong.

I therefore recommend that the law be so strengthened as to require an annual accounting between each company and its policyholders so that at the close of each year the policyholders will be notified of their respective shares in the surplus of the preceding year. The amendment would also provide for the options which at that time may be exercised by the policyholder: 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 of 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."

And again:

"There is more fraud and deception, sometimes intentional and sometimes unintentional, practiced upon policyholders 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 opinion, in many instances created for no other purpose than to enable the agent to found upon them an argument, the fallacy of which can not be detected by the unskilled mind, and the effect of which is to create an atmosphere of mystery about the entire business. There are but few kinds of legitimate life insurance 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 standard 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 several forms of contract issued."

I believe that in the end it will be found wise to prohibit life insurance companies having capital stock from issuing participating policies in any form. The partnership thus created between the stockholders and the policyholders will always be unsatisfactory. I believe, also, that all the policies issued by a mutual life insurance company should be participating policies, and they should be of such form that any dividends made would be in exact proportion to the contributions out of which the dividends arose. We will never reach the real remedy for the evils which are so manifest until the business is thus simplified.

EMPLOYERS' LIABILITY.

The rules of law which in this State govern the liability of an employer to employes are, in many respects, flagrantly unjust to the employes. They need careful revision. At the last session of Congress, a statute was passed which gave expression to an enlightened view of one phase of the subject, so far as interstate commerce is concerned. This statute has recently been declared unconstitutional, solely because the Court believed that the States, and not the general Government, had the power to deal with the matter. Without going into detail, I recommend the passage of a law which shall be the substantial equivalent of the act adopted by Congress.

LOBBYING AND THE LOBBYIST.

My views upon lobbying and the lobbyist are fairly well known, but I venture once more to express them. Corporations, as well as individuals, oftentimes have a direct pecuniary or property interest in measures that are proposed before legislative bodies. When such measures

arise, it is fundamental that they have the right to be heard. To deny them the privilege of submitting either fact or argument to the men who make the laws would be intolerable in an enlightened government. Manifestly, however, the privileges of such representatives should be limited to the submission of such matters as touch the merit or demerit of the legislation proposed, and whenever and wherever any corporation or individual attempts to influence a member by any other consideration, no matter what it is, he commits a crime against morals, and the punishment should be swift, sure, and severe. I understand perfectly that such offenses are not easily discovered, but that is no reason for immunity when they are discovered.

The lobbyist is not and ought not to be in good repute, and therefore I make this distinction. He who comes before you, fairly argues the case given to him, submits his case honestly, and goes his way, is not a lobbyist, and the term, which has become one of reproach, ought not to be applied to him. The real lobbyist is the man who has no concern for the merit of the law which he advocates or the demerit of the law which he opposes. He is the man who attempts to create personal obligations which will influence votes. He is the man who intrigues for combinations in which votes for or against one measure are traded for votes for or against another measure. He is the man who pursues his avocation behind locked doors, and in dark corners. He is the man who wants to win, right or wrong, and puts his desire to accomplish his purpose above his duty as a citizen. Such a lobbyist ought not to be registered anywhere. He ought to be abolished everywhere.

I am glad to say that in Iowa these men are growing every year less conspicuous and less numerous. I hope to see the species wholly disappear, and that the historian of the future may be able to write that about this time the race became extinct.

CONTRIBUTIONS BY CORPORATIONS FOR POLITICAL PURPOSES.

That it has become a custom with corporations of various kinds to make contributions to accomplish or defeat the nomination of candidates for public office, and to assist in the election of candidates for public office, is so well known and has been so completely many reasons, of the weightiest character, which demand an immediate prohibition against such misuse of corporate funds, coupled with a penalty of imprisonment for the violation of the law: First, the growing tendency to use money in political campaigns is subversive of the fundamental principles of good government, for it not only destroys purity of motive, but it overthrows the safety which is always found in individual and independent action. Second, it is a plain theft from every stockholder who does not give his assent to the contribution, and the misappropriation is peculiarly obnoxious because it oftentimes puts the money of a stockholder at work for a candidate whose success the stockholder does not desire. Third, the practice gives to the corporation an influence in public affairs simply because of the money contributed—an influence which is necessarily both selfish and vicious. Corporations should, of their own motion, rigorously

exclude themselves from politics, and the most effective way in which to give them strength to resist temptation is to fix a penalty for participation, so severe that the honest course will be the most attractive one. I recommend with all my earnestness, the enactment of a measure upon this subject that will stop, at once and forever, so odious a misuse of corporate property.

In this connection, I desire to submit another suggestion. I recognize that there must be some expenditure of money in every political campaign, whether for nomination or for election. There are legitimate purposes for which money can be expended, and to this extent, when contributed by individuals, there can be no criticism of the practice. We will all agree, however, that the expenditure of money in political controversies has passed beyond a fair and reasonable limit. Other countries and other states have attempted to restrict the use of money within honest bounds through that very efficient corrective—publicity. I think the State of Iowa should do likewise, and I strongly recommend a law that will require not only political committees, but candidates for nomination and for election, to publish their expenditures.

PRIMARY ELECTIONS.

The wisdom of establishing a system for the nomination of candidates for elective offices has not only been thoroughly debated in prior General assemblies, but has been maturely considered by the people of the State. Declarations upon the subject will be found in the platforms of the two principal political parties which preclude doubt with respect to the opinions of an overwhelming majority of the voters. The experience of each year, as it passes, emphasizes the imperative need of a thorough-going reform in the methods of nominating candidates.

We have long tried the plan of unregulated caucuses and conventions, and the defects discovered in this system have been so manifest that there is a universal demand for something better. I therefore earnestly recommend, as I have recommended before, an efficient primary election law. I recognize that there are differences of opinion with respect not only to the scope but the details of such a law, but I sincerely hope that these differences may not be so broad or so fundamental that they cannot be reconciled. I have given much thought to the subject, but shall not impose upon you at this time more than a statement of the essential features which a primary election law should contain.

First, it should embrace the nominations of candidates for all elective offices, whether state, county, municipal or district, including the office of Senator of the United States. Second, it should provide for the nomination of candidates for these offices by the primary vote, and should not remit nominations, under any circumstances, to a convention, except in the event of a tie. Third, the primary election for all political parties should be held throughout the State on the same day and at the same places. Fourth, there should be some fair test of party affiliation.

I know that there are some thoughtful students of the subject who believe that a nomination by a mere plurality is unwise, and I grant that there may be instances in which the concurrence of a majority would be better, but to require a majority in all cases would be to make no substantial change in the present system, for conventions would still be compelled to nominate candidates. If, therefore, we are to advance at all, it seems to me that we must adopt nominations by pluralities.

I am aware, also, that there are many persons who, with the utmost sincerity, believe that certain offices, such as Judges of the Supreme and District Courts, Attorney General, Clerk and Reporter of the Supreme Court, and Superintendent of Public Instruction, should not be included. I do not share the fears which lead to this conclusion, and yet I am quite willing to concede that if there are to be exceptions to the full and complete operation of the law, they should be along this line rather than any other.

I leave the subject with you, confident that you will deal with it as becomes its vast importance, and in accordance with the spirit which so universally prevails.

EXPRESS AND TELEGRAPH COMPANIES.

The Twenty-eighth General Assembly passed an act providing for the taxation of the property of express companies, which the Executive Council has, since its passage, been attempting to apply. The object of the statute is to ascertain a taxable mileage value of all the routes of a given express company, and then take the proportion in this State as a basis for taxation within the State. Unquestionably, the General Assembly had in mind the ordinary railway lines over which express companies do their business on land. The fact is, however, that some of the express companies have ocean routes, of tremendous distances but of little value, and it is contended, year after year, that in ascertaining the value of the routes in Iowa the Council must take into consideration the ocean lines as well as the land lines. To do so would be to reduce the taxable value of the lines in Iowa to an absurd point, but the letter of the law gives some strength to the argument. I recommend a careful revision of this statute, so that all doubt respecting its interpretation will be removed, and a fair valuation clearly imposed.

I can see no good reason why the general policy that the legislature has applied to express companies should not also be applied to telegraph companies. If it is equitable to ascertain the value of express routes by ascertaining the value of the property as a whole, and then taking a mileage proportion of it, it would be no less equitable to determine the value of the telegraph lines in the same manner. The mere cost of constructing a telegraph line is no criterion of its worth for the purpose of taxation. I recommend the passage of a law that will set up the same criterion for telegraph property that you have established for express property.

I have long believed that both express companies and telegraph companies should be brought within the jurisdiction of the Railroad Com-

mission, and that the Commission should be given the same authority to prescribe rates for telegraphic messages and for the carrying of express matter, and to supervise the management of telegraph and express companies, that it now has with respect to railroads. I commend this subject to you as one well worthy of your attention.

RAILROADS.

Inasmuch as I feel compelled to make a series of recommendations that touch, directly or indirectly, the railroads within the State, I must be allowed a brief preface. There has been, within the last three or four years, so much discussion concerning the relations of the railroads to the people, that those who manage railroad property and those who own railroad stocks and bonds seem to fear that there exists a violent prejudice which will result in unjust legislation. I cannot believe that the fear is well founded. The discussion has been the natural outcome of the marvelous increase in commerce, and the plain attempt of railway managers to reap the largest possible profit from the unparalleled traffic of the time. These managers, while they admit as a mere abstraction the proposition that a railroad has not the liberty or license of private property, cannot and will not accept it as a rule of conduct. They still believe, apparently, that they have a right to capitalize not only present earnings, but hopes for the future. They cannot and will not, save theoretically, recognize that all persons and all localities must be given the use of transportation facilities upon like terms under like conditions.

There is no disposition upon the part of the people generally or of any legislative body to take away from railway corporations the management of their property, or to deny them full and adequate compensation for the service they render. I say to you, and I hope you will bear it in mind when you come to consider the recommendations I shall make, that you could not inflict a more fatal blow upon the people of this State than to adopt such legislation as would deprive our railroads of the opportunity to earn a fair profit. We are as dependent for our material well being upon the transportation afforded by the railroads as we are upon the air we breathe for the continuance of life. Railroads will not and cannot serve the people efficiently unless they are reasonably compensated for the work they do. The spirit of confiscation is not in the people of Iowa, and it is not in this General Assembly. The railway companies may dismiss all fear of injury. It is incredible that the calm wisdom of this or any other legislative body in a country like ours will impose such restrictions upon the use of railroad property as will render it either unprofitable in operation or unfairly interfere with the control of its owners. The whole history of legislation upon this subject proves conclusively the truth of my assertion. Notwithstanding all the acts that have been passed regulating the operation and limiting the compensation of railroads, whether by the states or the United States, the railroads have steadily grown in mileage and increased in revenue until they pay dividends and interest upon stocks and bonds aggregating nearly one-seventh of the entire wealth of the nation. Experience has abundantly shown that, with the

privileges granted to them by the law, they can take care of themselves much more effectually than legislatures and congresses can take care of the people.

Concluding this general review, I come to specific things.

PASSENGER FARES.

In my message delivered to the Thirty-first General Assembly, I had the honor to recommend the passage of a law that would require railway companies to "sell mileage books good for 1,000 miles and upwards, at a flat rate of two cents per mile, good until used"; and I said in that connection "if purchased by the head of a family, there is no reason why it should not be used by any member of the family"; and again, "The man who travels little is at present at too great a disadvantage as compared with the man who travels much".

A bill embodying this recommendation passed the House of Representatives, but in the committee of the Senate, counsel for the railways contended that it was unconstitutional, because it authorized discrimination. The argument seemed to be convincing, and although I do not concur in the conclusion, I feel impelled to lay aside the remedy then proposed. It must be assumed, therefore, that if those who travel little are to be relieved of the unjust burden which they now bear, the relief must come through a general reduction of all passenger fares. There is much reason to believe that, in the Western country at least, passenger traffic at the present rates is less profitable than freight traffic at the present rates. The representatives of the railway companies, during the last session, insisted that the average actual rate paid by passengers in Iowa was not more than two cents per mile, some of the roads showing a fraction higher and some a fraction lower than two cents. In making this computation an arbitrary division of certain large expenses was assumed, and as I understand it, free transportation was not included.

This condition has been brought about by the railroads themselves, through mileage books, credentials, and other reduced rates to privileged classes. When it is remembered that the vast majority of those who travel a great deal pay but two cents per mile, and that the travel of all those of our people who pay three cents per mile is necessary to bring the average up to two cents per mile, the extent of travel which pays less than two cents per mile assumes tremendous proportions. Granting, for the moment, that it would be unfair to reduce the revenue from passenger service a single penny, it is still manifest that the adjustment is hopelessly wrong. It costs the railway company just as much to carry a passenger who has purchased a 2000-mile book, per mile, as it does to carry a passenger who has bought a single ticket for 100 miles; indeed, I think the former costs a little more, for the use of the mileage book entails more expense in the maintenance of extensive bureaus for identification, auditing and rebating, than the sale of tickets at stations. The only advantage derived by the railway company is the interest upon the payment in advance, and this does not warrant any appreciable reduction in the rate.

If the practice of making low rates for excursions, conventions, meetings of associations, and the like, is unprofitable, the railway companies can easily abolish it. For my part, I can see no justice in the custom which compels the farmer and his family, or the merchant and his family, as they go from place to place, either for pleasure or for business, to pay a part of the cost of carrying men to conventions or to gatherings of any kind; and much less can I perceive the wisdom of making our people pay, as they move about engaged in their ordinary affairs, for losses incurred in taking train load after train load of pleasure seekers to points of entertainment or amusement, or land seekers, as they journey to distant states in the hope of finding riches that they could more easily discover at home.

These things, however, are entirely within the control of the railway companies. If we give them an opportunity to take two cents per mile from everyone who rides upon their trains in Iowa, and they avail themselves of the opportunity, as they can, their revenue from the passenger traffic will not be reduced a single dollar; on the contrary, according to universal experience, it will be increased. If, on the other hand, the railway companies, with the right to demand two cents per mile from all who travel, find it advantageous, by reason of ulterior and extrinsic benefits, to reduce the rates under certain circumstances below the maximum, and thus diminish the average rate actually received, they can not assert that the law has done them an injustice. I stand firmly upon the proposition that the travellers who are now paying three cents per mile are paying the fares of other travellers who are abundantly able to pay their own; and moreover the burden is laid upon the people who are least able to bear it. It is a discrimination which can not be defended, and which ought not to continue. It will not be forgotten, either, that the prohibition against passes already in force, and an enlargement of the prohibition of which I shall speak presently, and which I hope will shortly be in force, will add materially to the revenue of the railway companies, and will help greatly in maintaining the average at or above its present point.

What I have said has been upon the hypothesis of a strict division between the earnings of the passenger and freight traffic. I do not concede, however, that the proposal for two-cent passenger fares is to be tested wholly by any such criterion. I prefer to look at the earnings of the railroads in Iowa as a whole, and if they are found to be more than they should be, it is not very material to inquire whether a two-cent passenger rate will or will not be, in and of itself, profitable. The chief business of railroads in this State is the transportation of freight, and it clearly appears from the arguments laid before you last winter that they regard passenger traffic as incidental, and do not attempt to make it the source of any considerable net earning.

The gross earnings of all the railroads upon business done in Iowa for the year 1905, not including interurban railways, was \$62,792,307.00. In ascertaining these earnings, Iowa is given a mileage proportion upon all inter-state traffic. It is not safe to accept the report of any particular railway company respecting the amount expended for maintenance and operation, inasmuch as the variety in the methods of book-

keeping destroys the value of any one report. It is fair, however, to resort to averages, and according to the computations made by the Inter-State Commerce Commission, the average percentage of gross earnings for maintenance and operation throughout the United States is a little less than 68 per cent. If we assume 68 per cent as the fair proportion (and I am of the opinion that the assumption will do the railway companies no injustice) the net earnings of our railroads upon business done in Iowa for the year 1905 were \$20,093,538.24. This sum will pay 6 per cent interest upon \$334,892,304.00. It will pay 7 per cent interest upon \$287,050,546.00. The last assessment fixed the actual value of the railroads in the State at \$249,348,780.00. The Executive Council, however, chose to apply the same proportion of value as it believed had been applied to farm property; namely, about four-fifths. Increasing the value by the addition of one-fifth, the result is an actual value of \$299,218,536.00. It will be remembered, however, that in reaching this value the Executive Council was largely influenced by the gross and net earnings, and in a less degree by the amount which had been expended in the construction of the properties. It is manifest that when you come to determine whether the net earnings are too great, you cannot take as a basis a valuation founded upon such earnings, but must adopt some other method. If it be asserted that it is unfair to take the gross and net earnings of a single year, it may be of interest to inquire what these earnings have been during the last five years.

In 1901, the gross earnings were \$55,079,943.00; in 1902, \$56,466,305.00; in 1903, \$58,466,340.00; in 1904, \$57,396,848.00; and in 1905, as before stated, \$62,792,307.00. The average gross earnings for these five years are \$58,240,348.00. Using the percentage for ascertaining net earnings heretofore mentioned, the result is \$18,636,911.36, for the average net earnings per year during the last five years. This sum will pay 6 per cent interest upon \$310,615,189.00. It will pay 7 per cent interest upon \$266,241,591.00. These rates of interest are sufficiently liberal when you take into consideration the fact that practically one-half the capitalization of railway properties is represented in bonds, the average interest upon which is about 4 per cent. The ascertainment of the sum upon which the earnings of railway companies should make a reasonable return is not easy. If you accept the basis presented by the actual investment you can approximate the proper capitalization very quickly. I have heard it stated by the representatives of railway companies before the Executive Council, over and over again, that the average actual cost of the railroads in Iowa did not exceed \$20,000.00 per mile. There are now 9,827 main track miles in the State, which, tested by this theory of value, are worth \$196,540,000.00. The net earnings of 1905, as you will observe, were sufficient to pay more than 10 per cent upon such a valuation. The average yearly net earnings for five years would pay 94-100 per cent upon this valuation. If you take the cost of reproduction as the proper test, an average of \$25,000 per mile is about right. Upon this basis, the railroads are worth \$245,675,000.00. You can compute in a moment the

percentage of interest which the net earnings would pay upon this sum. It will not be overlooked, of course, that any considerable reduction in earnings would, in all probability, result, and ought to result, in a reduction in the value of the property for taxation.

I submit these suggestions to you to be reviewed by your mature judgment, and to be used for the purpose of beginning an inquiry as to the justice or injustice of any action that you may take that will lessen the income of the railway companies, whether from the passenger or the freight service. It is a subject which invokes a high sense of responsibility, and it demands for its consideration all the obligations of an official oath. I know that you will examine it, and act upon it without fear, favor, prejudice or oppression. For my own part, I am deeply convinced that a reduction in the passenger rate is fully warranted, and I therefore earnestly recommend the substitution of a two-cent rate for the existing three-cent rate.

FREIGHT RATES.

What I have already said is sufficient in so far as the income of railway companies is concerned. The Railroad Commission has already adequate power to fix schedules of maximum freight rates. The schedules and classifications announced in 1889 have not been changed essentially during the eighteen years that have since intervened. In the meanwhile, the manufacture and commerce of the country have been revolutionized; and I believe it to be true that the present adjustment of rates is grossly unfair to the manufacturers, farmers, stock producers, and distributors of the State. They do not have a fair and even chance in the struggle for business. It may be worth your while to institute an investigation, which, with your plenary powers, might develop many things which the Railroad Commission cannot discover, and which would greatly aid in the readjustment of rates. As you know, it is the almost invariable custom of railway companies, in bringing shipments of any kind into the State, to make rates to the State line, and then add the rate of the Iowa distance tariff to the point of destination. This practice results in great hardship to our manufacturers and distributors in their effort to compete with their rivals situated beyond the State. To give point to this phase of the intricate subject, I take the liberty of giving you the substance of two letters which I received during the time I was writing this part of my message:

“In 1906 there was shipped from Chicago to Fairfield for the Loudon Machinery Company, 29 cars of bar steel, having a total weight of 980,741 pounds.

Distance from Chicago to Fairfield, 256 miles.

Distance from Chicago to Burlington, 206 miles.

Distance from Burlington to Fairfield, 50 miles.

Rate from Chicago to Fairfield, 13 cents per 100 pounds.

Rate from Chicago to Burlington, 5 cents per 100 pounds.

Rate from Burlington to Fairfield, 8 cents per 100 pounds.

Freight charges for hauling these 23 cars 206 miles, \$490.3.

Freight charges for hauling these 23 cars 50 miles, \$784.59.

In this particular case, the freight for one-fifth of the entire distance—the part in Iowa—is \$294.22 more than for the other four-fifths of the distance—the part in Illinois.

In 1906, the Iowa Malleable Iron Company, of this city, shipped in 1,597 long tons of pig iron. Most of this, if not all, came from Chicago.

Rate from Chicago to Fairfield, \$2.40 per long ton.

Rate from Chicago to Burlington, \$1.00 per long ton.

Freight from Chicago to Fairfield on 1,597 long tons.....	\$3,832.80
Freight from Chicago to Burlington on 1,597 long tons.....	1,597.00
Freight charged from Burlington to Fairfield on 1,597 long tons	2,235.80
Freight on 1,597 tons for hauling 50 miles in Iowa.....	2,235.80
Freight on 1,597 tons for hauling 206 miles in Illinois.....	1,597.00

In other words, the freight charges for hauling 1,597 tons of pig iron 50 miles in Iowa are \$638.80 more than for hauling the same tonnage 206 miles in Illinois.

I understand perfectly that nothing that you could do would affect a through rate, but if it is to be the settled policy of the railroads to make the inter-state rate, so far as Iowa people are concerned, by adding the local distance tariff from the State line to the point of destination, it is possible to so adjust our rates that less injustice would follow their application in that manner.

At the present time, there are no joint rates upon local traffic. The law gives to the Railroad Commission the authority, upon special application, to establish a joint rate, but there is no authority to prescribe a general schedule of joint rates. The constitutionality of the existing statute was at one time questioned, but the case in which it arose was determined upon another issue, and therefore the validity of the law is still undecided. I recommend the subject to you as one worthy of the most careful consideration. It is believed by very many of our manufacturers, as well as by a large proportion of our general shippers, that the law should be amended so as to confer upon the Commission as complete power to establish a schedule of joint rates, embracing all railroads and all traffic, as it now has to promulgate a schedule of rates over single lines.

DEMURRAGE.

Two propositions will be admitted without controversy: First, that it is the duty of every railroad company to provide itself with sufficient motive power and enough cars to carry the freight offered to it with reasonable promptitude, and to furnish these facilities without discrimination to the shippers who ask for them; second, it is the duty of shippers and consignees to load and unload cars with reasonable promptitude, to the end that each car may perform the maximum of service. Shippers complain, and in recent times the complaint has been emphatic, that the railways do not furnish cars as they should with reasonable diligence, and do not move them, when loaded, with sufficient speed; and that they do discriminate between their patrons. The railways complain that shippers and consignees are not careful in loading and unloading cars when furnished, and to correct the latter evil

they impose a penalty for detention, which is called, in railway parlance, "demurrage."

It seems to me consistent with good policy that the penalty should be imposed upon both sides. If the railway companies are remiss in their duty of furnishing cars and moving them, they should pay for their delinquency, and if the shippers and consignees are negligent in returning cars to service, they should pay for their fault. I recommend the enactment of a law that will create a sufficient motive in both carriers and shippers to do their full duty in this regard.

FREE TRANSPORTATION.

A year ago, I gave to the General Assembly my views upon this subject, and I beg leave to refer to my former message for a full expression of the evils which attend the practice of granting free transportation to favored persons and classes. The act which was passed by the Thirty-first General Assembly was a step in the right direction, but I respectfully submit that it did not reach the end toward which the public judgment so firmly advances. Its prohibition is not broad enough to abolish some of the most objectionable phases of the custom. Since its passage, ongress has legislated upon the subject, in so far as it relates to interstate carriage of passengers, much more effectually. I believe that the law of Iowa should be amended so as to conform to the law of the United States, and I recommend the enlargement of our statute so that what is unlawful for a railway company to do as between the States will also be unlawful to do within the State. I recommend further that you make such a definition of bona fide employes as will preclude the issuance of passes to persons whose connection with the company is either formal or created chiefly to give opportunity for free transportation.

HOURS OF CONTINUOUS LABOR IN RAILWAY SERVICE.

I invite your earnest attention to the danger incident to the practice of allowing or requiring men in the railway service to work continuously so long that they cannot exercise the care essential to their own safety and to the safety of the traveling public. The history of railroad accidents is full of warning upon this subject. The operation of railway trains demands a vision not dulled by loss of sleep, a memory not impaired by physical weariness. It demands that all the senses be alive and keen. It is well established that many of the most deplorable accidents have resulted from the failure of men who were at their posts for twenty-four, thirty, thirty-six and even forty-eight hours without the cahnce for adequate recuperation.

To require such continuous work is inhuman to employes; to permit it is an offense against the public. The fault is not with the railway companies alone, for there are employes who seek an opportunity to thus increase their wages; but whoever desires it, there is a higher consideration than either profit to the employer or compensation to the employe. The public safety overrules them both.

I recommend the enactment of a law that will fairly and reasonably limit continuous service of employes engaged in the movement of railway trains.

Gentlemen, I have now performed as best I could the duty which the law imposes upon me. My responsibility ceases and yours begins. I transfer these subjects to you in the full confidence that in so far as I am right my recommendations will find approval at the seat of your judgment, and with the consciousness that in so far as I am wrong they will fall under the weapons of your fair debate.

Respectfully submitted.

Albert B. Cummins

On motion the joint convention was dissolved.

The Senate returned from joint session.

Senator Dowell offered the following resolution and moved its adoption:

I move that the Custodian of the Capitol be instructed to place at the President's desk at once the proper chair for that officer.

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 House was asked:

Concurrent resolution relative to the appointment of a committee to make arrangements for the inauguration of the Governor and Lieutenant Governor and appoint as committee on part of the House: Sullivan of Polk, Shaffer of Fayette, Arney of Marshall, Nix of Union, Springer of Buchanan, Balluff of Scott.

C. R. BENEDICT,
Chief Clerk.

Senator Crossley moved that the Secretary be authorized to assign seats in the reporters' gallery.

Carried.

HOUSE MESSAGE CONSIDERED.

Concurrent resolution relative to the appointment of a committee to make arrangements for the inauguration of the Governor and Lieutenant Governor and appoints as committee on part of House: Sullivan of Polk, Shaffer of Fayette, Arney of Marshall, Nix of Union, Springer of Buchanan, Balluff of Scott.

Passed on file.

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

Resolved by the Senate, the House concurring, That a joint session of the House of Representatives and the Senate be had on Tuesday, January 15, 1907, at 2 P. M., in the House of Representatives, for the purpose of canvassing the vote for Governor and Lieutenant Governor.

Adopted.

Senator Mattes moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, Jan. 15th, 1907

Senate met in regular session at 10:00 o'clock a. m., President Herriott presiding.

Prayer was offered by the Rev. A. A. Walburn, of Osceola, Iowa.

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

Senator McKlveen offered the following concurrent resolution, and moved its adoption:

WHEREAS, Lieutenant Governor Samuel L. Bestow, of Chariton, Lucas County, who was at one time member of the House and later of the Senate, and afterwards Lieutenant Governor and President of the Senate, was removed by death on Wednesday, January the 9th, 1907; therefore be it

Resolved by the Senate, the House concurring, That a joint committee of three from the Senate and three from the House be appointed to draft suitable resolutions commemorating his valuable services to the State, and excellent qualities as a citizen.

Adopted.

Senator Dowell moved that the Senate take a recess of fifteen minutes.

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 House has amended and passed the following concurrent resolution in which the concurrence of the House was asked:

Concurrent resolution relative to furnishing members of the Thirty-second General Assembly with copies of the Code, Supplement to the Code, the session laws and annotations.

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 holding a joint session to canvass the vote for Governor and Lieutenant Governor.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

Senate concurrent resolution, relative to furnishing members of the Thirty-second General Assembly with copies of the Code, Supplement to the Code, the Session Laws and annotations.

Senator Dowell moved that the Senate concur in the House Amendment by striking out the word, " Twenty-ninth."

Carried.

Senate concurrent resolution, relative to holding a joint session to canvass the vote for Governor and Lieutenant Governor.

Passed on file.

The President announced that the Senate would be at ease.

The Senate was called to order by President Herriott.

Senator Crossley was called to the chair at 10:45.

On request of Senator Whipple, leave of absence was granted Senator Gilliland for the day.

On request of Senator Elerick, leave of absence was granted Senator Bruce indefinitely.

On request of Senator Ericson, leave of absence was granted Senator DeWolf for the day.

On request of Senator Newberry, leave of absence was granted Senator Clark for the day.

Senator Gale called up the resolution offered by him yesterday, relative to allowing each Senator a Clerk, and moved its adoption.

Adopted.

The chair announced the Senate at ease.

The Senate resumed session.

The President resumed the chair at 11:10 o'clock.

Senator Dowell, from the Committee on Inaugural Ceremony, submitted the following report, and moved its adoption.

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

The undersigned, your Committee on inauguration, beg leave to submit the following report:

We recommend that the inauguration of the Governor and Lieutenant Governor be held in the Chamber of the House of Representatives on Thursday afternoon, January 17th, at 2 o'clock, and submit the following program:

Prayer by Doctor Hodgdon.

Song, Quartette.

Administration of oath of office to Governor Albert B. Cummins and Lieutenant Governor Warren Garst, by Chief Justice Weaver.

Inaugural Address by Governor Albert B. Cummins.

Song by Quartette.

We recommend that the galleries of the House be opened to the public.

PUBLIC RECEPTION.

The Thirty-second General Assembly of the State of Iowa extends a cordial invitation to the people of the State to attend the public reception to be tendered to Governor Albert B. Cummins by the members of the

Assembly at the State House on Thursday evening, January 17th, 1907, from 8 o'clock to 11.

JOHN B. SULLIVAN,
FRANK BALLUFF,
L. F. SPRINGER,
J. D. SHAFFER,
B. T. NIX,
W. H. ARNEY,

on part of the House.

C. C. DOWELL,
SHIRLEY GILLILLAND,
JAMES J. CROSSLEY,
JOHN H. JACKSON,
JOHN F. WADE,
JOHN L. WILSON,

On part of the Senate.

Adopted.

The President appointed as committee, on the part of the Senate, to draft suitable resolutions in behalf of the late Lieutenant Governor Samuel L. Bestow: Senators McKlveen, Jamison of Clark, and Lambert.

Senator Dowell moved that the Senate do now adjourn until 1:50 p. m. today.

Carried.

Senate adjourned.

AFTERNOON SESSION.

The Senate convened at 1:50 p. m.

President Herriott presiding.

On request of Senator Newberry, leave of absence was granted Senator Smith, of Mitchell, for the day.

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, to meet in joint convention.

JOINT CONVENTION.

The members of the Senate appeared and took seats on the west side of the House.

Joint convention called to order, Lieutenant Governor Herriott presiding.

On the roll call the following members responded :

Allen, Allred, Anderson, Arney, Baird, Balluff, Bascom, Bauman, Beery, Bergeson, Bixby, Blackmore, Bleakly, Bonwell, Brandes, Bruce, Burgess, Calkins, Cassady, Clarke of Jefferson, Clary, Conn, Corrie, Cottrell, Crossley, Darrah, DeArmand, DeMar, Dewell, DeWolf, Dodds, Doran, Dow, Dowell, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Eckles, Elerick, Elliott, Ericson, Feay, Feely, Felt, Fenn, Flugum, Foley, Fox, Frudden, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Hickey, Holmes, Hopkins, Hughes, Hume, Inman, Jackson, Jamieson of Page, Jamison of Clarke, Jewell, Jones of Mahaska, Jones of Montgomery, Kelley, Kellogg, Kendall of Clinton, Kendall of Monroe, Kimmel, Kinne, Koontz, Kull, Lambert, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, McKlveen, McManus, Maben, Mann, Marston, Mason, Mattes, Maytag, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moon, Morris, Newberry, Nichols, Nix, Offill, Paul, Peterson, Pierce, Price, Reaney, Reitz, Ritter, Saunders, Schoenberger, Schroeder, Schulte, Seeley, Shaffer, Sheldon, Sidey, Smith of Des Moines, Smith of Wright, Sparks, Springer, Stewart, Stillman, Stirton, Stoltenberg, Stookey, Sullivan, Swan, Swift, Taylor, Teter, Turner, VanHouten, Wade, Warren, Webster, Weeks, Welden, Whipple, White, Whiting, Wilson of Clinton, Wilson of Fayette, Wilson of Tama, Wolfe, Youde, Young—150.

President Herriott announced a quorum of members present.

President Herriott announced as Tellers, on part of the Senate: Senators Crossley of Madison, Turner of Adams, Smith of Des Moines.

Speaker Kendall announced as Tellers, on part of the House: Representatives Bixby of Delaware, White of Story, Clarke of Jefferson.

The Speaker then opened the returns, in presence of the joint convention, and the tellers proceeded to canvass the vote for Governor and Lieutenant Governor, of the State of Iowa, at the election held in November, A. D. 1906.

The Tellers reported as follows:

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, January 15, 1907.

MR. PRESIDENT AND GENTLEMEN OF THE JOINT CONVENTION—Your tellers appointed by the President of the Senate and the Speaker of the House of Representatives, to canvass the vote cast for candidates for Governor and Lieutenant Governor, at the election held on November 6, 1906, beg leave to make the following report of the total vote cast for Governor:

A. B. Cummins received.....	216,995
Claude R. Porter received.....	196,123
John E. Shank received.....	8,728
Lorenzo S. Coffin received.....	9,872
J. R. Norman received.....	347
Andrew Townsend Hisey.....	340
George D. Perkins received.....	1

Total432,406

And of the total vote cast for Lieutenant Governor at the election held on November 6, 1906:

Warren Garst received.....	221,181
John D. Dennison received.....	176,029
Allen K. Gifford received.....	8,470
Kendrick N. Brown received.....	8,483

Stephen H. Harvey received.....	356
J. L. Gray received.....	1
John Gauge received.....	1
B. F. Keltz received.....	6
Samuel Shoop received.....	1
Geo. Herr Renaecke received.....	2
A. G. Ensign received.....	2

Total410,532

All of which is most respectfully submitted.

JAMES J. CROSSLEY,
FRED N. SMITH,
R. J. BIXBY,
J. FRED CLARKE,
GEO. C. WHITE,
DAN TURNER,

Tellers.

Report adopted.

Lieutenant Governor Herriott, President of the joint convention, announced that Albert B. Cummins, having received the highest number of all votes cast for Governor, was declared duly elected to the office of Governor of the State of Iowa for the ensuing term, or until his successor is elected and qualified; and that Warren Garst, having received the highest number of all votes cast for Lieutenant Governor, was duly elected to the office of Lieutenant Governor for the ensuing term, or until his successor is duly elected and qualified.

Lieutenant Governor Herriott, President of the joint convention, then directed the abstract of votes and Certificates of Election to be filed with the Secretary of State.

The following Certificates were signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, January 15th, 1907.

This is to certify that upon a canvass in joint convention of the two Houses of the Thirty-second General Assembly of the State of Iowa of the votes cast at the General Election held November 6, A. D. 1906, it appeared that Albert B. Cummins received the highest number of all votes cast for any candidate at said election for said office, and was therefore declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the joint convention this 15th day of January, A. D. 1907.

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

N. E. KENDALL,
Speaker of the House.

JAMES J. CROSSLEY,
Teller of the Senate.

FRED N. SMITH,
Teller of the Senate.

DAN TURNER,
Teller of the Senate.

GEO. C. WHITE,
Teller of the House.

R. J. BIXBY,
Teller of the House.

J. FRED CLARKE,
Teller of the House.

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, January 15th, 1907.

This is to certify that upon a canvass in joint convention of the two Houses of the Thirty-second General Assembly of the State of Iowa of the votes cast at the General Election held November 6, A. D. 1906, for the office of Lieutenant Governor of the State of Iowa, it appeared that Warren Garst received the highest number of all votes cast for any candidate at said election for said office, and was therefore declared duly elected to said office for the term of two years and until his successor is duly elected and qualified.

Signed in the presence of the joint convention this 15th day of January, A. D. 1907.

JOHN HERRIOTT,

President of the Senate and President of the Joint Convention.

N. E. KENDALL,

Speaker of the House.

JAMES J. CROSSLEY,

Teller of the Senate.

FRED N. SMITH,

Teller of the Senate.

DAN TURNER,

Teller of the Senate.

GEO. C. WHITE,

Teller of the House.

R. J. BIXBY,

Teller of the House.

J. FRED CLARKE,

Teller of the House.

Hambleton of Mahaska moved that a committee of two be appointed to notify the Governor and Lieutenant Governor of the official result of the canvass of the votes.

Motion prevailed.

President Herriott named as such committee: Senator Hughes of Iowa and Representative Hambleton of Mahaska.

On motion of Representative Dow of Franklin the joint convention was dissolved.

The Senate returned to its chamber and resumed its sitting.

Senator Hopkins moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, January 16th, 1907.

Senate met in regular session at 10:00 o'clock a. m., President Herriott presiding.

Prayer was offered by the Rev. W. A. Schwimley of Shenandoah, Iowa.

On request of Senator Frudden leave of absence was granted Senator McManus until tomorrow.

On request of Senator Frudden leave of absence was granted Senator Foley until tomorrow.

On request of Senator Smith of Mitchell leave of absence was granted Senator Clark for the day.

On request of Senator Whipple leave of absence was granted Senator Gilliland until tomorrow.

On request of Senator Ericson leave of absence was granted Senator DeWolf indefinitely.

Senator Ericson from the committee on mileage submitted the following report and moved its adoption:

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

Names.	Miles.	Amount.
Lieut. Gov. Garst	142	\$ 7.10
Lieut. Gov. Herriott	82	4.10
Senator Allen	206	10.30

Names.	Miles.	Amount.
Senator Bleakly	298	14.90
Senator Bruce	164	8.20
Senator Burgess	538	26.90
Senator Clark	1 10	5.50
Senator Crossley	84	4.20
Senator DeArmand	350	17.50
Senator DeWolf	210	10.50
Senator Dowell
Senator Dunham	304	15.20
Senator Eckles	150	7.50
Senator Elerick	240	12.00
Senator Ericson	84	4.20
Senator Foley	332	16.60
Senator Frudden	430	21.50
Senator Gale	292	14.60
Senator Gilliland	326	16.30
Senator Hopkins	120	6.00
Senator Hughes	212	10.60
Senator Jackson	460	23.00
Senator Jamieson, Page	380	19.00
Senator Jamison, Clarke	120	6.00
Senator Jones	128	6.40
Senator Kimmel	400	20.00
Senator Kinne	250	12.50
Senator Lambert	472	23.60
Senator McKlveen	120	6.00
Senator McManus	326	16.30
Senator Mattes	2.90	14.50
Senator Maytag	70	3.50
Senator Moon	180	9.00
Senator Newberry	438	21.90
Senator Nichols	284	14.20
Senator Peterson	208	10.40
Senator Saunders	284	14.20
Senator Seeley	280	14.00
Senator Smith, Des Moines	336	16.80
Senator Smith, Mitchell	330	16.50
Senator Stirton	358	17.90
Senator Stookey	172	8.60
Senator Stuckslager	310	15.50
Senator Taylor	254	12.70
Senator Turner	222	11.10
Senator Wade	394	19.70
Senator Warren	86	4.30
Senator Whipple	349	17.00
Senator Whiting	400	20.00
Senator Wilson, Fayette	266	13.30
Senator Wilson, Clinton	470	23.50
Senator Young	180	9.00

Respectfully submitted,

C. J. A. ERICSON,
JNO. F. WADE.

Adopted.

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

The President appointed as committee on extra help on the part of the Senate, Senators Jamison of Clarke, Bleakly and Stuck-slager.

Senator Jones offered the following resolution :

Resolved by the Senate that when we adjourn on Thursday the 17th, that we adjourn until Tuesday the 22d day of January, at 10:00 o'clock a. m.

Laid over.

Senator Hopkins moved that the Senate do now adjourn until 1:30 p. m., tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, January 17th, 1907.

Senate met pursuant to adjournment at 1:30 p. m.

President Herriott presiding.

Prayer was offered by the Rev. M. O. Lambly of Emmetsburg, Iowa.

On request of Senator Elerick leave of absence was granted Senator Stookey indefinitely.

On request of Senator Elerick leave of absence was granted Senator DeWolf.

The Sergeant-at-Arms was directed to conduct the Senator from Woodberry to his desk. President Herriott then announced that the Senator had recently exercised remarkable good judgment by taking unto himself a worthy helpmate, and in token of the esteem in which the Senator is held by his fellow Senators and in expression of the approval of the wisdom of his act, he presented the Senator with a beautiful bouquet of American Beauty Roses.

Senator Jackson made a fitting response, and sent a messenger across the chamber with a rose and his compliments to the Senator from Polk, and hoping that Senator Dowell would be equally fortunate in the near future.

A committee from the House announced that they were ready to receive the Senate in joint convention.

The hour having arrived for joint convention the President announced that the Senate would proceed in a body to the House

for the purposes of joint convention and to inaugurate Governor-elect Albert B. Cummins and Lieutenant Governor-elect Warren Garst.

JOINT CONVENTION.

The Joint Convention was called to order by Lieutenant Governor Herriott at 2 o'clock p. m., Thursday, January 17, A. D. 1907.

On the roll call the following members responded:

Allen, Allred, Anderson, Arney, Baird, Bascom, Bauman, Beery, Bergeson, Bixby, Blackmore, Bleakly, Bonwell, Brandes, Bruce, Burgess, Calkins, Cassady, Clark of Poweshiek, Clarke of Jefferson, Clary, Conn, Corrie, Cottrell, Crossley, Darrah, DeArmand, DeMar, Dewell, Dodds, Doran, Dow, Dowell, Drury, Dunn, Dye of Decatur, Dye of Pottawattamie, Earle, Eckles, Elerick, Elliott, Ericson, Feay, Felt, Fenn, Flugum, Foley, Fox, Frudden, Gale, Geneva, Gilliland, Greenwood, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Hickey, Holmes, Hopkins, Hughes, Hume, Inman, Jackson, Jamieson of Page, Jewell, Jones of Mahaska, Jones of Montgomery, Kelley, Kellogg, Kendall of Clinton, Kendall of Monroe, Kimmel, Kinne, Koontz, Kull, Lambert, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, McKlveen, McManus, Maben, Mann, Marston, Mason, Mattes, Mercer, Meredith, Hiller of Bremer, Miller of Dubuque, Moon, Moore, Morris, Newberry, Nichols, Nix, Ofill, Paul, Peterson, Pierce, Price, Reaney, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Seeley, Shaffer, Sheldon, Sidey, Smith of Des Moines, Smith of Mitchell, Smith of Wright, Sparks, Stewart, Stillman, Stirton, Stoltenberg, Stuckslager, Sullivan, Swan, Swift, Taylor, Teter, Turner, Van Houten, Warren, Webster, Weeks, Welden, Whipple, White, Whiting, Wilson of Clinton, Wilson of Fayette, Wilson of Tama, Wolfe, Youde—149.

Absent or not voting:

Balluff, DeWolf, Dunham, Feely, Jamison of Clarke, Maytag, Saunders, Springer, Stookey, Wade, Young—11.

Lieutenant Governor Herriott declared a quorum of members present in the joint convention.

The following program was then carried out:

Prayer by Doctor Hodgdon.

Song, by Quartette.

Administration of oath of office to Governor Albert B. Cummins and Lieutenant Governor Warren Garst, by Chief Justice Weaver.

Inaugural address by Governor Albert B. Cummins.

Song, Quartette.

GOVERNOR CUMMINS' INAUGURAL ADDRESS.

Mr. President, Mr. Speaker, Senators and Representatives of the Thirty-second General Assembly,

LADIES AND GENTLEMEN: For the third time I have taken the oath just administered in your presence. I have done my best to keep it in the years that have gone. I will do my best to keep it in the years that are to come. I have tried faithfully to understand the sacred obligations it creates, with the consciousness that my vow to preserve it, inviolate, is registered, not alone upon the records of an earthly government, but is written also upon the eternal tablets of a Divine Master, whose infinite vision sees not alone the act, but the motive which inspires the deed. Remember, however, that this oath binds me to perform my duty as I see the right. It does not bind me to perform my duty as anybody else may see the right. I may not do the thing or say the word that you believe I ought to do or say; but if I do the thing and say the word that I believe I ought to do or say, I will have kept the faith. Judge me, therefore, with that breadth of view, that righteous toleration which recognizes that men may honestly reach varying conclusions upon many of the subjects involved in the administration of public affairs, and I will be content.

A few days ago I had the honor to deliver to the members of the General Assembly a message which contained my specific recommendations touching the legislation of the State, and upon this occasion I may be permitted to deal with some phases of our public problems from a more general standpoint.

But first I must congratulate you upon the character of the people you represent. A kind Providence has bestowed upon them unequalled opportunities for the truest happiness and most enduring prosperity that mortals can enjoy. Our sources of wealth, while prolific and inexhaustible will not create fortunes so vast as to excite discontent, or become a menace to the public good. Our civilization is of the highest type known to the world, for it blends, in perfect proportion, the best qualities of the mind and the noblest virtues of the heart. If our people cannot reach the summit of true greatness, it may well be concluded that the top of the mountain is to be forever inaccessible. There is not another community of two millions of human beings upon the face of the earth so well fitted to accomplish the mighty purposes of the Ruler of all things as is the community which we call the State of Iowa. It is a distinguished honor to represent these people. As the chief executive, I acknowledge the honor, and I extend to you the heartiest felicitations upon the admirable constituency in whose service you are engaged.

This is an age of discussion—of calm, riotous, philosophical, foolish, sincere, hypocritical discussion. It is an age of fine eulogy and slashing criticism. It is an age of serene confidence and deep despair. There are persons who deplore rest, and some who deplore unrest; but I think the crushing descord is the salvation of our civilization and our institutions. Nearly everybody wants a change in some thing, and to most of us the agitator or demagogue is the man who wants to make a change that we think ought not to be made. We are all for some reform; and the hypocrite or pretender is the man who wants to reform something that we think ought not to be reformed. Undoubtedly there are agitators, demagogues, hypocrites and pretenders, but when we attempt to point them out, we are usurping the exclusive privileges of the Almighty. The sheep will be separated from the goats some time, but the man who tries to do it in this world will make a great many mistakes. I say, let the discussion—wise or unwise, honest or dishonest—go on. Let the lightnings of criticism strike. Let the thunders of condemnation roll. Let the sharp scream of anger and discontent be heard. Let the songs of praise swell out. In these things lies the real hope of finding our way through the tangled labyrinth through which we must pass. The truth is, and we may as well confess it, that we are a somewhat bewildered people. Our forefathers made for us a government, national and state, putting into it a genius that dwarfs every other effort of its kind; but the country to be governed has escaped from the government established to manage it, and is running wild. These thousands of voices that fill the air are only endeavoring to tell in a variety of tongue that there has been an escape and should be a recapture; but just how to put the harness of justice upon these mighty and new forces that we call our country—Ah! “There’s the rub.”

The conditions under which we live are utterly unlike the conditions that gave form to our institutions and which prescribed the scope of ancient laws. Forces have come into existence which were unknown to the men who made our constitutions. Not only are the conditions new and the forces unfamiliar, but they have developed so rapidly that we have not yet had time to do much but talk about them. With a wealth that in a very few years has whirled us out of obscurity to the very pinnacle of financial greatness; with this wealth organized in the hands of powerful men, multiplying itself with amazing rapidity, establishing monopolies, crushing and grinding its way without any instinct of fairness or any emotion of sympathy, toward the complete extinction of competition and independence; with forests in its grasp; with ore beds occupied; with its reach and strength drawing together the manufactories of the country; with the packing houses and live stock markets joining into one vast combination; with 220,000 miles of main track railway gradually taken from the ownership of a thousand companies and connected into a half-dozen systems all dominated by a few men, and oftentimes by the same men, serving with might and main these masters of finance, bent on paying interest and dividends upon stocks and bonds that aggregate twice the original capital invested, as well as laying aside immense sums for extensions and additions that ought to be constructed from independent capital; with labor unions that are trying to mass the power of the workingman against the associated strength of employers—these

things present a situation never before presented to organized society. The farmers and the retail merchants are about the only people remaining to exhibit the force of competition, and the latter are shivering lest the mail order house shall soon make way with them.

When we add the riotous extravagances and the shameful inefficiency of municipal administration, both arising largely from the prodigality of prosperity, we have the picture upon which the American people are now looking. No wonder we are bewildered, and that we are a little nervous, as well as very proud. No wonder that magazines and newspapers are filled with discussion, suggestion, criticism and denunciation. No wonder that the patriot and demagogue, the wise man and the fool, the philosopher and the agitator, the radical and the conservative, are abroad in the land. Understand me. I am not complaining of the conditions I have described. All of them are natural, and many of them are unavoidable. I am not even prepared to say that, essentially, they can be changed. I am, however, sure that they require of government something that has never been done before, and that if we cling too closely to the wisdom of the forefathers and fail to exercise a little wisdom of our own, the history of our forefathers will be the only part of the history of this country worth preserving.

Herein lies the application of my former statement. No man knows just what to do, although all men know that something ought to be done. It is impossible to set forth an orderly plan that will embrace remedies for all the defects in our customs and laws, but this much is certain: that out of all the babel of argument and assertion, denunciation and eulogy, criticism and praise, there will come, little by little, the truth, and the truth will make us free. I have no fear that the people will adopt error or inflict injustice. I have some fear that, with the inertia begotten of over-reverence for the past, they will allow the truth to stand idle too long, and that they will be unjust, not in what they do, but in what they fail to do.

I was reading the other night the last published chapter of Mark Twain's autobiography. I do not know whether he intended it to be serious, satirical, or humorous, but whatever the state of his mind, he hit the bull's eye so often that the bell rang in my ears for hours. He was writing of Secretary Root's famous speech, lately delivered in New York, which was unfairly construed to advocate the practical abolition of state governments and the concentration of all power in the general government. I quote from Twain:

"He (Root) did not say in so many words that we are proceeding in a steady march toward eventual and unavoidable replacement of the republic by monarchy; but I suppose that he was aware that that is the case. He notes the several steps—the customary steps—which in all the ages have led to the consolidation of loose and scattered governmental forces into formidable centralizations of authority, but he stops there and doesn't ad up that sum. He is not aware that heretofore the sum has been ultimate monarchy, and that the same figures can fairly be depended upon to furnish the same sum whenever and wherever they can be produced, so long as human nature shall remain as it is; but it was not needful that he do the adding, since anyone can do it; neither would it have been gracious in him to do it.

"In observing the changed conditions which in the course of time have made certain and sure the eventful seizure by the Washington government of a number of State duties and prerogatives which have been betrayed and neglected by several states, he does not attribute those changes and the vast results which are to fall from them to any thought-out policy of any party, or of any body of dreamers or schemers, but properly and rightly attributes them to that stupendous power---Circumstance—which moves by laws of its own, regardless of parties and policies, and whose decrees are final and must be obeyed by all, and will be. The railway is a Circumstance, the steamship is a Circumstance, the telegraph is a Circumstance. They were mere happenings, and to the whole world, the wise and foolish alike, they were entirely trivial, wholly inconsequential; indeed, silly, comical, grotesque. No man and no party and no thought-out policy said, 'Behold, we will build railways and steamships and telegraphs, and presently you will see the condition and the way of life of every man and woman and child in the nation totally changed.' Unimaginable changes of the law and custom will follow, in spite of anything that anybody can do to prevent it. The changed conditions have come, and Circumstance knows what is following and will follow. So does Mr. Root. His language is not clear; it is crystal."

And then he quotes a few sentences from the speech, among them:

"Our whole life has swung away from the old state centers, and is crystallizing about national centers."

"That (State) power of regulation and control is gradually passing into the hands of the National government."

"Sometimes by an assertion of the inter-state commerce power, sometimes by an assertion of the taxing power, the national government is taking up the performance of duties which, under the changed conditions, the separate states are no longer capable of adequately performing."

"Constructions of the Constitution will be found to vest the power where it will be exercised—in the national government."

And then Twain concludes—

"I do not know whether that has a sinister meaning or not, and so I will not enlarge upon it, lest I should chance to be in the wrong. It sounds like ship money come again, but it may not be so intended."

If this be satire, it is grim and gloomy. If it be humor, it is sharp and dangerous. I intend to touch the subject boldly. There is a truth here that needs to be brought out into the light, so that we may see it and understand it, and better still, so that we may acknowledge it. To adequately meet the revolution which we have witnessed in wealth, transportation, commerce and business, to adequately guard and protect the people from the piracies of the powerful, you know and I know that the National government ought to have some powers that are not bestowed upon it, either in the letter or in the spirit of the Constitution. You know and I know that in the manner of selecting the President and Vice-President and Senators of the United States, there are lurking dangers which ought to be removed. You know and I know that for years every department that interprets the Constitution has strained it and tortured it and perverted it so that its makers would not recognize it as the instrument which they produced, in order to enable it to answer the demands of the time. This has not been done with any ill intent, but only to

make the swaddling clothes of an infant cover the stalwart limbs of a giant; and it is just as true as fate that this process will continue until the Constitution is a mere shadowy name, without force or authority, unless it is so enlarged and strengthened that it will accomplish for us what it accomplished for our forefathers. The inquiry I propound, therefore, is this: Which shall we do: break the Constitution or better it? What do you think the consequences of stretching and shattering the Constitution will, in the end, be? I grant you that the Supreme Court of the United States will, slowly and reluctantly, make the Constitution whatever the imperious needs of the people require it to be, but when that spirit wins its final victory, what will your government be? Then, indeed, when we have forgotten the limitations of constitutions, then and then only may we fear that monarchy will supplant the republic. A land with an unwritten constitution is a monarchy, I care not how it may be disguised with forms.

Do not imagine that I am clearing the way for the conclusion that the powers of the states should be either abolished or curtailed. On the contrary, I believe that the authority which must be exercised by the states has increased, rather than diminished. My proposition is that the development of the country has made it necessary to exercise governmental functions which cannot be exerted by the states and never has been; and which cannot be employed by the general government because the Constitution does not create them. The interstate commerce clause of the Constitution is not broad enough for these days, simply because we have an interstate commerce, the character of which was not dreamed of when the clause was written. The corporations carrying on interstate commerce cannot be adequately regulated by the states for the obvious reason that the jurisdiction of a state, even in the absence of the present prohibition in the Constitution, ceases at its border. We take nothing away from the States when we enlarge these grants to the United States. We only bring into existence a new power, to meet a new condition, and bestow it upon the only hand that can use it. The interstate commerce clause has already been strained to the point of breaking. The taxing authority has already been wrested from its true purpose, and still the courts halt upon the hither side of adequate law. Why should we hesitate to call a Constitutional convention and make our organic law as great and broad and strong as the subjects it is to control? There are two reasons, each of which moves a class of it own.

The first class is composed of those persons who worship the past, have no faith in the present, and little hope for the future. They seem to believe that while the men of 1787 had wisdom and virtue enough to frame a Constitution that would preserve the liberties of the people and protect the interests of the Nation, the men of 1907 are incapable of dealing with subjects so important and vital. They shiver with the fear that a Constitutional Convention would be made up of wild-eyed, crazy-minded iconoclasts, who would delight in destroying all the idols of the patriot and lay the country waste, to be preyed upon by all the forces of disorder and injustice. They even assert that the thirty-five States which must adopt the work of the Constitutional Convention before it becomes effective would be ruled by the same reckless indifference to the ancient landmarks. I cannot think that there is the shadow of

merit in their opposition. While I am conscious of intense pride and great reverence for the ancestry of the present generation, I believe that the men who are now studying the problems of government can be trusted as implicitly to do the right thing as could the men of a former time. We love our country as deeply as they did. We cherish the flag of our sovereignty with more love and affection than they ever felt. We are face to face with questions which were never propounded to them. We can take the multitude of remedies now proposed, and when they have passed through the crucible of full debate and of mature consideration, nothing will emerge but the pure gold of truth, justice and uprightness.

The second class is composed of persons dominated by the excessive selfishness of the human heart. Out of the incapacity of the government to do the things which ought to be done, they are daily coining inordinate profit. They are the beneficiaries of a species of anarchy which it is their interest to perpetuate. They have become mad in the pursuit of wealth, and they are unable to perceive that a country has any destiny except to grow rich. In their economy the science of production is the crowning glory of a nation's progress. It never occurs to them that the science of distribution is just as vital as the learning of production, and that the happiness of the people will depend quite as much upon fairness in the latter as upon the magnitude of the former. These persons make the air ring with praises for the established order of things, and their constant argument is that reform is the unrelenting enemy of business; that the capitalist will not invest his money when changes in the Constitution and amendments in the laws are under consideration. This is a ghost summoned for the occasion, which frightens many a timid man, and it ought to be banished from the vision of the American people.

I do not counsel precipitation. I do not favor hazardous experiments. Mature thought should precede action. We must not permit, however, either the trembling apprehension of the devotee who is always kneeling at the shrine of antiquity, nor the avarice that finds its opportunity in the incapacity of the Government, to say or thwart our purpose.

I, for one, stand clearly and unequivocally for amendments to the Constitution of the United States; for an amendment that will give the voters a chance to say, directly, who their Senators shall be; for an amendment that will give the voters a chance to say, directly, who their President and Vice-President shall be; for an amendment that will give the interstate commerce clause scope enough to enable Congress to control and regulate things which the developments of commerce have nationalized; for an amendment that will allow Congress to unify our marriage and divorce laws.

I recur to a suggestion made a few months ago that nothing proposed in the way of enlarging the power of the United States reduces the real authority of the several States. I believe, with Secretary Root, that the failure on the part of the various commonwealths to do their full duty in bringing their legislation into harmony with existing conditions will necessarily result in the usurpation of functions by the general government. Certain things must be done. Certain manifest evils must be removed. After all, Congress can justly occupy but a very small part of the field of legislation, and it is impossible of exag-

gerate the responsibility which rests upon you, Gentlemen of the Assembly.

You have the insurance problem to solve. The business in Iowa has attained tremendous proportions. We are all gratified to witness the prominence that the growth of this interest has given our State. Additional regulations are required, and some are proposed. Instantly, the cry goes up from the companies: "If you touch us we will perish." What I have said about the Constitution, I repeat here. It is this persistent command, "Hands off," and the feeling of danger that it implies, that retard much needed reforms. It goes without saying that nothing should be done that will hurt our insurance companies. After all, there is no great mystery about the business. It is simply an agency to collect money, keep it for a time, diminish it by expenses, increase it by interest, and pay it out again in equitable proportions. Your predecessors made the law under which these companies were organized. They made it to help them, and if you amend it you will amend it to help them. I do not disparage the assistance that men who are engaged in the business can give you through fact and argument; but I do deprecate the idea that the interests involved are imperilled simply because changes are thought to be necessary. In all progress there is some risk of going wrong, but you are not more apt, indeed you are less apt, to go wrong than those who have gone before you, for you have the light of further experience. The officers of insurance companies and legislators are trustees for the policy-holders, and their welfare should be a common object. I would like to see Iowa lead all the other States in the extent of its insurance business, and the only safe and sure path to this eminence is to better guard the interest of the policy-holder here than anywhere else in the Union.

You also have the railway question to answer. In my message, I considered the subject from one point of view—specific recommendations;—allow me, now, to look at it from another.

I emphasize every caution ever uttered about proceeding with care and deliberation, to the end that railway property shall receive the full measure of protection, but I repudiate here, as everywhere, that frayed out, puerile maxim of paralysis, "Let well enough alone." I reject the appeal that you cannot touch the management of this public servant without impairing its efficiency. I deny the implication that while your forefathers had sense, you have none.

I read last night the letter written by the king of railway policy and the prophet of railway destiny to Governor Johnson, of Minnesota. It was probably intended for consumption in Iowa as well as Minnesota, and therefore I may, with propriety, refer to it. He begins by admitting the incapacity of the railroads to carry the traffic offered to them; admits shortage of cars and inadequacy of tracks. His remedy is to buy more cars and build more tracks. His analysis of the situation may be accepted, for we all know that the railroads have more than they can do at the present time; but Mr. Hill did not publish this communication to state so obvious a fact. The lash of the letter was in the warning that if Congresses and Legislatures did not cease meddling or proposing to meddle with railway property and railway

service, capital could not be found to build the needed tracks and buy the needed cars. So we have it again: "Interfere with the magnificent, wonderful structure of prosperity, and it will crumble to pieces before your eyes." The logic is, "If you want good service, you can get it, and only get it by letting the railway companies severely alone." The pity of it is that Mr. Hill really believes what he says, and so do other princes of finance who have grown fabulously rich through the mere manipulation of stocks and bonds. It never occurs to them that an enterprise is worth fostering that will not offer an opportunity to double, treble and quadruple securities without the contribution of a single dollar. I agree that neither Hill nor Harriman would put a penny of their money into the construction of railroads if they believed that they would only secure in return a fair interest upon their investment, even though the investment was as stable as a government bond. It never occurs to them, however, apparently, that there are thousands and tens of thousands of men who do not expect to make an hundred per cent in a single night, or reap a harvest of millions in a single day; and who are willing, nay, anxious, to so invest their capital that they will be rewarded with a remunerative, but reasonable profit. If railroads can not be built upon any other plan than the one hitherto adopted, I concede freely that when you have done your duty, enlargement would be exceedingly slow.

The whole argument, however, is fallacious to the last extreme. The men who in fact have their money in our railroads are paid a very moderate interest upon their investments, and the men who are making the outcry are the men who never invested their honestly earned dollars in the construction of our transportation system.

We ought to stand as resolutely against any invasion of the real rights of capital as we do against the unfair aggressions upon the privileges of the people; but we ought not to be frightened by the scarecrow set up by those who have already possessed a field to which they have no honest title. When you give the investors of the United States a fair chance to put their money into railroads, knowing that the amount actually put in will measure the amount upon which interest and dividends are paid, and knowing that the man who has made no investment can have no profit, you will find that there will be no difficulty in obtaining all the funds that are required to either construct new railroads or increase the trackage of old ones. It takes some courage, I know, to resist the insidious and insistent appeal, but it is cheering to observe that it is becoming less persuasive every day.

I have referred to but two of all the subjects which are challenging the ripest, best thought of the people. I have referred to them as illustrations, for the spirit which animates us in examining them should move us along every path of reform. We should emancipate ourselves from idolatry with respect to things that are. We should emancipate ourselves from the desire to change simply to effect a change. Because there is much good in the existing order, we should not be turned away from the effort to make it better; but we should not overthrow what has been done simply to prove that we can overthrow it.

We have a great country. It is now, and always should be, the

greatest on earth. Whether it will be or not depends upon the fidelity with which the duties of each hour are performed. With the profound hope that Iowa may always lead the march of true progress, and with the confident belief that the banners of righteous reform will never be furled so long as they are borne in your hands, I enter again upon the fulfillment of the trust which the people have committed to my care.

Minutes of joint convention read and approved.

On motion of Senator Crossley of Madison the joint convention was dissolved.

The Senate returned to its chamber and resumed its sitting.

On motion of Senator Smith of Mitchell a committee of two was appointed to escort Lieutenant Governor Warren Garst to the chair.

President Herriott appointed as such committee Senators Smith of Mitchell and Stirton.

The committee escorted President Garst to the chair.

President Herriott presented Lieutenant Governor Garst and surrendering the gavel, spoke of the pleasant relations which always existed between the Senators and himself, and asked for the same consideration for his successor.

President Garst on assuming the chair addressed the Senators as follows:

SENATORS—In assuming the position of President of the Senate I realize my limitations and ask your indulgence.

I congratulate you upon the auspicious circumstances under which you meet. In the whole history of the State, I think there never has been a General Assembly whose members have represented such a happy, contented and intelligent people.

I predict that your record this year will be one that will stand out in the annals of Iowa as the session that has done most along those lines that will tend to the upbuilding of the best interests of the State, morally, financially and intellectually.

I hope it will not be considered out of place for me to urge that the several committees of the Senate take up those recommendations of the Governor that especially pertain to the work of these committees, with a view to investigating, and if thought wise, incorporating such recommendations into the laws of the State.

Many of you are new at the work you are about to engage in. As

one having had some experience, I predict for you a pleasant and profitable session, knowing as I do that there is no service of the State that will bring such large returns for good, conscientious service.

In presenting to you the list of committees I again crave your indulgence, realizing that there must of necessity be some disappointments. However, I feel that there has been ample work assigned to each member to insure him a good session's work. I submit the committees.

The list of standing committees of the Senate was then read by the Secretary as follows:

WAYS AND MEANS.

Senator Smith of Mitchell,	Senator Allen,
Senator Whipple,	Senator Newberry,
Senator Ericson,	Senator Burgess,
Senator Hughes,	Senator Warren,
Senator Gilliland.	Senator Lambert,
Senator Gale,	Senator Whiting,
Senator Eckles,	Senator Stirton,
Senator Kimmel,	Senator McManus.

JUDICIARY.

Senator Dowell,	Senator Stookey,
Senator Whipple,	Senator Newberry,
Senator Bruce,	Senator Jones,
Senator Crossley,	Senator Jackson,
Senator Dunham,	Senator Allen,
Senator Jamison of Clarke,	Senator Peterson,
Senator Warren,	Senator Moon,
Senator Gililand.	Senator DeWolf,
Senator Saunders.	

APPROPRIATIONS.

Senator Maytag,	Senator Clark
Senator Turner,	Senator Wilson of Fayette,
Senator Saunders,	Senator Seeley,
Senator Hopkins,	Senator Stuckslager,
Senator Dunham,	Senator Wilson of Clinton,
Senator Young,	Senator Frudden,
Senator Stookey,	Senator Taylor,
Senator Kinne,	Senator Foley.
Senator Mattes,	

AGRICULTURE.

Senator Bruce,	Senator Kimmel,
Senator Newberry,	Senator Allen,
Senator Crossley,	Senator Seeley,
Senator Ericson,	Senator Nichols,
Senator Eckles,	Senator McKlveen,
Senator Elerick,	Senator Smith of Des Moines,
Senator Hughes,	Senator Wade,
Senator Kinne.	Senator Whiting.

RAILROADS.

Senator Hopkins,
 Senator Jamison of Clarke,
 Senator Saunders,
 Senator Jackson,
 Senator Newberry,
 Senator Wilson of Fayette,
 Senator Allen,
 Senator Mattes.

Senator Peterson,
 Senator Turner,
 Senator Smith of Mitchell,
 Senator Maytag,
 Senator Burges,
 Senator Stirton,
 Senator Jamieson of Page,
 Senator De Armand.

CITIES AND TOWNS.

Senator Gilliland.
 Senator Saunders,
 Senator Dowell,
 Senator Stuckslager,
 Senator Jackson,
 Senator Eckles,
 Senator Turner,
 Senator Jones,

Senator Bleakly,
 Senator Clark,
 Senator McKlveen,
 Senator Wilson of Clinton,
 Senator Smith of Des Moines,
 Senator Moon,
 Senator De Armand,
 Senator Frudden.

BANKS.

Senator Stuckslager,
 Senator Ericson,
 Senator Hopkins,
 Senator Bruce,
 Senator Gale,
 Senator Allen,
 Senator Seeley,
 Senator McKlveen,

Senator Young,
 Senator Whipple,
 Senator Taylor,
 Senator Stirton,
 Senator Foley,
 Senator Smith of Des Moines,
 Senator Whiting,
 Senator Wade.

SUPPRESSION OF INTEMPERANCE.

Senator Dunham,
 Senator Whipple,
 Senator Stookey,
 Senator Warren,
 Senator Bruce,
 Senator Gale,
 Senator Bleakly,

Senator Mattes,
 Senator Burgess,
 Senator Jackson,
 Senator Lambert,
 Senator DeWolf,
 Senator Jamieson of Page.

INSURANCE.

Senator Whipple,
 Senator Smith of Mitchell,
 Senator Maytag,
 Senator Bruce,
 Senator Ericson,
 Senator Warren,

Senator Stuckslager,
 Senator Young,
 Senator Turner,
 Senator Wade,
 Senator Frudden,
 Senator Moon.

SCHOOLS.

Senator Crossley,
 Senator Jamison of Clarke,
 Senator Dunham,
 Senator Wilson of Fayette,
 Senator Kinne,
 Senator Seeley,

Senator Bruce,
 Senator Clark,
 Senator Wilson of Clinton,
 Senator Taylor,
 Senator Lambert.

CONGRESSIONAL AND JUDICIAL DISTRICTS.

Senator Jamison of Clarke,	Senator Peterson,
Senator Dowell,	Senator Allen,
Senator Saunders,	Senator Foley,
Senator Wilson of Fayette,	Senator DeWolf,
Senator Stookey,	Senator Moon.
Senator Young.	

SENATORIAL AND REPRESENTATIVE DISTRICTS.

Senator Hughes,	Senator Mattes,
Senator Bruce,	Senator Elerick,
Senator Smith of Mitchell,	Senator DeArmand,
Senator Kimmel,	Senator McManus,
Senator Burgess,	Senator Wade.
Senator Kinne,	

ELECTIONS.

Senator Wilson of Fayette,	Senator Maytag.
Senator Crossley,	Senator Young,
Senator Turner,	Senator Wilson of Clinton,
Senator Elerick,	Senator Stirton,
Senator Smith of Mitchell,	Senator Taylor.
Senator Kinne,	

CONSTITUTIONAL AMENDMENTS AND SUFFRAGE.

Senator Ericson,	Senator Jackson,
Senator Jamison of Clarke,	Senator Gale,
Senator Crossley,	Senator Taylor,
Senator Stuckslager,	Senator Jamieson of Page,
Senator Saunders,	Senator Whiting.

PUBLIC HEALTH.

Senator Young,	Senator Nichols,
Senator Clark,	Senator Saunders,
Senator McKlveen,	Senator DeArmand,
Senator Dowell,	Senator Foley,
Senator Jones,	Senator Frudden.

PUBLIC LIBRARIES.

Senator Gale,	Senator Elerick,
Senator Hopkins,	Senator Hughes,
Senator Gilliland,	Senator Smith of Des Moines,
Senator Young,	Senator Lambert,
Senator Burgess,	Senator Whiting.
Senator Eckles,	

TELEGRAPH AND TELEPHONES.

Senator Saunders,	Senator Crossley,
Senator Hopkins,	Senator Mattes,
Senator Whipple,	Senator McManus,
Senator Maytag,	Senator Smith of Des Moines.,
Senator Kimmel,	Senator Wade.
Senator Newberry,	

CORPORATIONS.

Senator Warren,
 Senator Whipple,
 Senator Ericson,
 Senator Nichols,
 Senator Gilliland,
 Senator Bleakly,

Senator Stuckslager.
 Senator Peterson,
 Senator Stirton,
 Senator Frudden,
 Senator DeWolf.

MILITARY.

Senator Truner,
 Senator Hughes,
 Senator Elerick,
 Senator Eckles,
 Senator Stookey,

Senator Allen,
 Senator Wilson of Clinton,
 Senator Jamieson of Page,
 Senator Moon.

LABOR.

Senator Newberry,
 Senator Maytag,
 Senator Smith of Mitchell,
 Senator Hughes,
 Senator Wilson of Fayette,

Senator Elerick,
 Senator Lambert.
 Senator McManus,
 Senator Foley.

EDUCATIONAL INSTITUTIONS.

Senator Jackson,
 Senator Jamison of Clarke,
 Senator Stookey,
 Senator Burgess,
 Senator Clark,

Senator Dunham,
 Senator Taylor.
 Senator Moon,
 Senator Jamieson of Page.

MINES AND MINING.

Senator Elerick.
 Senator Warren,
 Senator McKlveen,
 Senator Maytag,
 Senator Jamison of Clarke,

Senator Young,
 Senator Wade,
 Senator McManus,
 Senator Moon.

HIGHWAYS.

Senator Kinne,
 Senator Dunham,
 Senator Nichols,
 Senator Burgess,
 Senator Clark,

Senator Eckles,
 Senator Stirton,
 Senator Frudden,
 Senator DeArmand.

PHARMACY.

Senator McKlveen,
 Senator Clark,
 Senator Young,
 Senator Wilson of Fayette,
 Senator Newberry,

Senator Kimmel.
 Senator DeArmand,
 Senator DeWolf,
 Senator Lambert.

PRINTING.

Senator Allen,
 Senator Dowell,
 Senator Smith of Mitchell,
 Senator Newberry,
 Senator Bleakly,

Senator Kimmel,
 Senator Turner,
 Senator Lambert,
 Senator Jamieson of Page.

CHARITABLE INSTITUTIONS.

Senator Stookey,
 Senator Dunham,
 Senator Jackson,
 Senator Kinne,
 Senator Gale,

Senator Jones,
 Senator DeWolf,
 Senator Foley,
 Senator Frudden.

BUILDING AND LOAN.

Senator Jones,
 Senator Crossley,
 Senator Wilson of Fayette,
 Senator Hughes,
 Senator Seeley,

Senator Peterson,
 Senator Whiting,
 Senator Wade,
 Senator Smith of Des Moines.

RULES.

Senator Peterson,
 Senator Dowell,
 Senator Dunham,
 Senator Warren.
 Senator Jones,

Senator Nichols,
 Senator Wilson of Clinton,
 Senator Whiting,
 Senator McManus,

COMPENSATION OF PUBLIC OFFICERS.

Senator Bleakly,
 Senator Jackson,
 Senator Jamison of Clarke,
 Senator Seeley,

Senator Nichols,
 Senator Smith of Des Moines,
 Senator DeWolf.

PENITENTIARIES AND PARDONS.

Senator Mattes,
 Senator Peterson,
 Senator Hopkins,
 Senator Whipple,

Senator Bleakly,
 Senator Whiting,
 Senator Wade.

FEDERAL RELATIONS.

Senator Clark,
 Senator Eckles,
 Senator Ericson,
 Senator Kimmel,

Senator Mattes,
 Senator Stirton,
 Senator Wilson of Clinton.

CLAIMS.

Senator Eckles,
 Senator Gilliland,
 Senator Seeley,
 Senator Maytag,

Senator Nichols
 Senator Foley,
 Senator McManus.

COMMERCE.

Senator Stirton,
 Senator Gale,
 Senator Hopkins,
 Senator Jones,

Senator Stuckslager,
 Senator DeArmand,
 Senator Frudden.

MANUFACTURES.

Senator Lambert,
 Senator Young,
 Senator Stookey,

Senator Whipple,
 Senator Jamieson of Page.

PUBLIC BUILDINGS.

Senator Burgess,
 Senator Hughes,
 Senator Jackson,

Senator Jamieson of Page,
 Senator McManus

HORTICULTURE AND FORESTRY.

Senator Taylor,
 Senator Elerick,
 Senator Gilliland.

Senator Kinne,
 Senator Smith of Des Moines.

FISH AND GAME.

Senator Kimmel,
 Senator Mattes,
 Senator Turner,

Senator Lambert,
 Senator DeWolf.

PUBLIC LANDS.

Senator Wilson of Clinton.
 Senator Peterson,

Senator Warren.

ENGROSSED BILLS.

Senator Nichols,
 Senator Bleakly,

Senator Frudden.

ENROLLED BILLS.

Senator Seeley,
 Senator Turner,

Senator Moon.

The President announced the following communication, which was read:

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

We transmit herewith for the use of the Senate and House of Representatives a copy of the report required of us by Section 2 of Chapter 179 of the Acts of the Thirty-first General Assembly.

J. T. HAMILTON,
 JOHN COWNIE,
 G. S. ROBINSON,

Board of Control of State Institutions.

To the General Assembly of the State of Iowa:

We submit herewith a report as required by Section 2 of Chapter 179 of the Acts of the Thirty-first General Assembly, showing the

amount transferred from a fund created by said act for a purpose not specified, and the unexpended balances in the State Treasury on the 31st day of December, A. D. 1906 to the credit of the State Institutions under our control. The balances, with few exceptions, are held to meet outstanding obligations against them or to accomplish the objects for which they were appropriated.

J. T. HAMILTON,
JOHN COWNIE,
G. S. ROBINSON,

Board of Control of State Institutions.

REPORT.

Amount expended as authorized by Section 2 of Chapter 179, Acts of the Thirty-first General Assembly, for a purpose not specified in the act:

INDUSTRIAL SCHOOLS FOR GIRLS, MITCHELLVILLE.

Fund	Transferred for	Amount
For Enlarging Power Plant.	New Well.	\$712.50

Balances in State Treasury on the 31st day of December, A. D. 1906, subject to the order of the Board of Control:

For inspection of homes for friendless children \$	223.16
For inspection of County and private institutions and homes for friendless children....	1,808.32
For State agents	3,551.23
For quarterly conferences	194.90
For State Sanitarium for the Treatment of Tuberculosis	50,000.00
	\$ 55,777.61

Balances in State Treasury on the 31st day of December, A. D., 1906, to the credit of the institutions herein named:

IOWA STATE PENITENTIARY, ANAMOSA.

Support fund	\$ 14,281.82
Books and periodicals fund	1,049.88
Boiler and connections fund	1,000.00
Boiler room fund.....	1,710.30
Closets and lavatories fund	11,665.00
Cell floors fund	4,289.95
Contingent and repair fund	95.41
Electric light plant fund	5,101.16
Freight on stone fund	480.88
Lectures and entertainments fund	183.26
Lime and cement fund	667.82
Purchase of land fund	1,627.75
Powder and fuse fund	340.54

Power house fund	1,000.00
Salaries of foremen fund	4,356.91
Support of warden fund	291.67
Transportation discharged convicts fund.....	244.24
Warden's house fund	123.30
Total credit balance	\$ 48,509.89

STATE HOSPITAL, CHEROKEE.

Support fund	\$ 9,370.94
Books and periodicals fund	254.34
Contingent and repair fund	3,231.65
Cement walks fund	250.00
Equipment of Industrial building fund	300.00
Fencing fund	208.23
Hay shed and sheep shed fund	1,200.00
Horse barn fund	1,500.00
Increase and Imp. water supply fund.....	7,263.85
Live stock fund.....	1,120.00
Paving courts fund.....	731.35
Pictures and mouldings fund.....	436.48
Poultry house fund.....	1,000.00
Painting fund.....	1,000.00
Purchase of land fund.....	797.05
Repair smoke stack fund.....	36.11
Sterilizer fund.....	18.24
Stereopticon fund.....	2.41
Telephone system fund.....	100.00
Wagon house fund.....	400.00
Total credit balance.....	\$ 29,220.65

STATE HOSPITAL, CLARINDA.

Support fund.....	\$ 10,838.16
Boilers and setting fund.....	3,043.12
Contingent and repair fund.....	1,595.08
Converting well into cistern fund.....	72.08
New floors fund.....	452.51
Purchase of land fund.....	2,089.00
Painting fund.....	1,781.59
Plumbing fund.....	957.88
Total credit balance.....	\$ 20,829.42

IOWA SCHOOL FOR THE DEAF, COUNCIL BLUFFS.

Support fund.....	\$ 141.76
Boiler house, laundry, etc., fund.....	18,211.23
Coal house fund.....	415.35
Contingent and repair fund.....	195.12
Electric power fund.....	347.98
Laundry machinery fund.....	287.16

Library books, etc., fund.....	363.99
New range fund.....	129.07
Piggery fund.....	1,117.98
Rebuild plant fund.....	9,965.74
Storm entrance dining room fund.....	300.00
Watchman's clock fund.....	300.00
Wrecking old building fund.....	1,413.50
Total credit balances.....\$	33,688.88

IOWA SOLDIERS' ORPHANS' HOME, DAVENPORT.

Support fund.....\$	8,743.45
Books and periodicals fund.....	302.00
Changing laundry building fund.....	229.28
Contingent and repair fund.....	1,244.94
Changing old kitchen fund.....	300.00
Disposal of sewage fund.....	2,152.13
Filling Duck Creek fund.....	24.75
Finishing cottage for girls fund.....	1,200.00
Flooring and ceiling engine room fund.....	224.65
Hog house fund.....	1,200.00
Laundry and equipment fund.....	508.37
New engine and generator fund.....	801.09
Painting fund.....	1,000.00
Portico roof repairs fund.....	1,000.00
Porches fund.....	700.00
Porch cement floors fund.....	500.00
Storm entrance dining room fund.....	300.00
Walks fund.....	10.46
Total credit balances.....\$	20,441.12

INDUSTRIAL SCHOOL FOR BOYS, ELDORA.

Support fund.....\$	3,504.57
Agricultural implements fund.....	179.13
Books and periodicals fund.....	265.72
Blacksmith and machine shop fund.....	7,277.42
Contingent and repair fund.....	200.65
Cows and horses fund.....	105.00
Dental fund.....	679.00
Drain tile fund.....	343.57
Furnishing old school buildings fund.....	211.36
Fencing fund.....	249.24
Furniture and furnishings fund.....	23.95
Implement house fund.....	1.44
Lectures, entertainments, etc., fund.....	95.25
Total credit balances.....\$	13,136.30

STATE PENITENTIARY, FT. MADISON.

Support fund.....\$	4,023.77
Books and periodicals fund.....	1,301.40

Changing and improving buildings fund.....	2,428.96
Commencing new cell house fund.....	10,000.00
Contingent and repair fund.....	1,179.07
Extension smoke stack fund.....	200.00
Furnishing furnace, warden's house fund....	350.00
Hospital library, etc., fund.....	1,709.84
Locks for cells fund.....	1,200.00
Lectures, concerts, etc., fund.....	753.03
Prison wall fund.....	3,619.04
Support of warden fund.....	250.00
Transportation discharged convicts fund.....	348.09
Ventilating cell house fund.....	799.62
Warden's house fund.....	66.55
Total credit balances.....\$	28,229.37

INSTITUTE FOR FEEBLE MINDED CHILDREN, GLENWOOD.

Support fund.....\$	5,415.55
Beds and bedding fund.....	2.50
Custodial building for boys fund.....	47,437.21
Contingent and repair fund.....	1,676.02
Farm fences fund.....	6.06
Farm implements fund.....	34.49
Improvements of grounds fund.....	500.00
Improve water supply fund.....	19,080.98
Laundry machinery fund.....	3,254.85
New engines, etc., fund.....	705.24
New kitchen floor fund.....	238.64
Purchase of land fund.....	183.90
Pipe covering fund.....	2,100.00
Repair boiler house fund.....	35.67
Total credit balances.....\$	80,671.11

STATE HOSPITAL FOR INSANE, INDEPENDENCE.

Support fund.....\$	11,154.48
Boiler, etc., fund.....	4,434.48
Carpets and rugs fund.....	1,491.13
Contingent and repair fund.....	1,335.01
Changing elevator fund.....	1,500.00
Draining land fund.....	16.99
Electric motor fund.....	1,500.00
Fencing land fund.....	367.42
Flooring fund.....	1,857.70
Laundry and dry room fund.....	361.75
Rebuild north wing green house fund.....	1,000.00
Woodworking machinery fund.....	954.25
Total credit balances.....\$	25,973.21

STATE HOSPITAL FOR INEBRATES, KNOXVILLE.

Support fund.....\$	8,780.67
Additional equipment fund.....	2,958.78

Build and equip hospital fund.....	6.26
Contingent and repair fund.....	2,441.69
Engine and generator fund.....	535.77
Fencing fund.....	237.20
Fire protection fund.....	58.33
Granary, cow barn and hog house fund.....	1,845.22
sewage disposal plant fund.....	554.35
Seating chapel fund.....	500.00
Shop building and machinery fund.....	5,000.00
Telephone system fund.....	350.00
Tile drainage fund.....	443.00
Walks and improving grounds fund.....	500.00
Water supply fund.....	3,784.46
Total credit balances.....	\$ 27,995.73

IOWA SOLDIERS' HOME, MARSHALLTOWN.

Support fund.....	\$ 6,802.77
Addition women's dormitory fund.....	4,498.54
Addition hospital fund.....	12,623.71
Addition women's hall fund.....	435.61
Bake oven fund.....	830.86
Boilers and connections fund.....	3,060.35
Cement floors, etc., fund.....	1,958.51
Green house fund.....	142.91
Improved water supply fund.....	71.95
New mangle fund.....	1,800.00
Operating room fund.....	38.45
Total credit balances.....	\$ 32,263.66

INDUSTRIAL SCHOOL FOR GIRLS, MITCHELLVILLE.

Support fund.....	\$ 1,964.47
Chaplain fund.....	224.50
Complete new cottage fund.....	17.95
Contingent and repair fund.....	231.01
Draining and grading fund.....	14.87
Dental fund.....	216.00
Enlarging power plant fund.....	4,087.87
Hose and hose trucks fund.....	150.00
Horses and cows fund.....	368.00
Hose house fund.....	190.00
Ice houses and cold storage fund.....	70.51
Library, books and periodicals fund.....	304.73
New boiler fund.....	1,062.50
Sewage plant fund.....	195.85
Stand pipes, etc., fund.....	600.00
Total credit balances.....	\$ 9,698.26

STATE HOSPITAL FOR INSANE, MT. PLEASANT.

Support fund.....	\$ 16,675.12
Beds and bedding fund.....	1,501.59

Books and periodicals fund.....	115.98
Carpets and rugs fund.....	3,000.00
Cows fund.....	1,400.00
Contingent and repair fund.....	3,177.12
Draining and fencing fund.....	82.97
Drain tile fund.....	760.85
Extending sewer fund.....	355.93
Fences fund.....	371.01
Horses and farm implements fund.....	1,415.70
Installing spray baths fund.....	382.00
Improvement of grounds fund.....	67.53
Kitchen equipments fund.....	602.63
Laundry machinery fund.....	899.15
Lavatories and closets fund.....	1,781.70
Moving and enlarging horse barn fund.....	67.29
New roof power house fund.....	543.99
New cisterns fund.....	810.21
New floors fund.....	1,609.57
Operating room fund.....	1,000.00
Purchase of land fund.....	6,144.10
Painting fund.....	317.43
Repairs to coal house, etc., fund.....	3,000.00
Sewage disposal plant fund.....	5,198.39
Total credit balances.....	\$ 51,280.26

IOWA COLLEGE FOR THE BLIND, VINTON.

Support fund.....	\$ 5,991.70
Contingent and repair fund.....	1,498.69
Fire escapes fund.....	393.97
Hospital building fund.....	5.25
New boilers, etc., fund.....	6,756.76
New coal house fund.....	2,500.00
Oculist fund.....	100.00
Total credit balances.....	\$ 17,246.37

SUMMARY.

	Support.	Special.
Anamosa	\$ 14,281.82	\$ 34,228.07
Cherokee	9,370.94	19,849.71
Clarinda	10,838.16	9,991.26
Council Bluffs.....	141.76	33,547.12
Davenport	8,743.45	11,697.67
Eldora	3,504.57	9,631.73
Ft. Madison.....	4,023.77	24,205.60
Glenwood	5,415.55	75,255.56
Independence	11,154.48	14,818.73
Knoxville	8,780.67	19,215.06
Marshalltown	6,802.77	25,460.89
Mitchellville	1,964.47	7,733.79

Mt. Pleasant.....	16,675.12	34,605.14
Vinton	5,991.70	11,254.67
Total support	\$ 107,689.23	
Total special		\$ 331,495.00
		\$ 107,689.23
Grand total		\$ 439,184.23
For inspection of homes for friendless children.		\$ 223.16
For inspection of county and private institutions and homes for friendless children.....		1,808.32
For State agents.....		3,551.23
For quarterly conferences.....		194.90
For State Sanitarium for Treatment of Tuberculosis		50,000.00
		\$ 55,777.61
		\$ 439,184.23
Grand total.....		\$ 494,961.84

The President presented the following reports of the Secretary of the Iowa State College of Agriculture and Mechanic Arts and the State University of Iowa, which were ordered printed in the Journal.

REPORT OF SECRETARY OF THE IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS.

To the General Assembly of the State of Iowa:

GENTLEMEN—In accordance with Chapter 104 of the Laws of the Thirty-first General Assembly, I herewith submit the following report showing:

First. The funds available for all purposes during the fiscal year ending June 30th, 1906, including the cash balances on hand at the beginning of the year.

Second. How much monies were expended.

Third. The unexpended balances at the close of the year to the credit of the several funds.

Fourth. The number of instructors and students enrolled in each course during the year.

I. AVAILABLE FUNDS, 1905-6.

Balances in College Treasury—

College support, including student funds.....	\$ 7,370.41
Agricultural Experiment Station.....	4,426.03
State appropriations.....	889.84
Special funds.....	88.00
	\$ 12,774.28

Transferred from Steward's Division..... 42.12

Balances in State Treasury—

Building tax.....	\$ 29,110.27
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Appropriation for completing and furnishing		
Central Building.....	40,784.81	
Dairy Building and fixtures.....	5,073.34	
Central Heating Plant appropriation.....	27,173.58	
Pure Bred Stock appropriation.....	.44	\$102,142.44
		<hr/>
Total balances		\$114,958.84
The following funds became available during the fiscal year:		
Educational Support Funds—		
From National Government.....	\$ 59,170.40	
From State appropriations.....	129,478.32	
From student fees, including room rent.....	33,634.13	
Special funds	1,237.20	\$223,520.05
		<hr/>
Agricultural Experiment Station—		
From National Government.....	\$ 20,000.00	
From State appropriations.....	27,083.33	\$ 47,083.33
Engineering Experiment Station—		
From State appropriations.....		\$ 3,758.33
Highway Commission—		
From State appropriations.....		\$ 4,583.33
Building and Land Funds—		
Building tax	\$127,161.07	
Annual repair and improvement fund.....	23,000.00	
Appropriation for completing and furnishing		
Central Building (second half).....	47,500.00	
Central Heating Plant appropriation (second		
half)	27,250.00	
Dairy Farm equipment.....	29,500.00	
Purchase of additional land (first half).....	5,500.00	\$259,911.07
		<hr/>
Total funds from all sources for all pur-		
poses available during the fiscal year..		\$653,814.95

II. EXPENDITURES, 1905-6.

Educational Support Fund—		
Salaries, including administrative officers.....	\$112,818.96	
Department expenses and equipment.....	38,699.46	
Administrative and general expenses.....	12,538.53	
Maintenance of buildings and grounds, including		
heat, light and janitor service for buildings		
and care of campus.....	38,503.19	
Special student funds, expended in keeping stu-		
dent records, repairing and furnishing student		
college dormitories and tuning pianos.....	2,958.85	
Special trust funds, dispersed according to terms		
of trust	1,625.00	\$207,143.99
		<hr/>
Agricultural Experiment Station—		
Salaries of Station staff and assistants.....	\$ 22,527.47	
Current expenses and equipment.....	18,787.27	\$ 41,314.74

Engineering Experiment Station—

Salaries	\$ 950.00	
Current expenses and equipment.....	2,394.55	\$ 3,344.55

Highway Commission—

Salaries	\$ 1,519.91	
Current expenses and equipment.....	2,610.21	\$ 4,130.12

Building and Land Funds—

New Central Building.....	\$162,318.96	
Dairy Building and equipment.....	15,855.66	
Dairy Farm and equipment.....	24,800.31	
Horticultural Cottage	5,018.68	
Hall of Agriculture.....	33.64	
Central Heating Plant.....	20,641.11	
Purchase of additional land.....	5,500.00	
Repairs and improvements.....	22,676.81	\$256,845.17

Total expenditures for all purposes.....		\$512,778.57
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SUMMARY.

Funds available	\$653,814.95
Expenditures	512,778.57

The law requires that Hospital Fees and Sales of Departments shall be listed separately. The following shows the receipts and expenditures for these accounts for the year:

RECEIPTS.

Receipts from sales.....	\$ 38,312.13	
Hospital fees	3,535.50	\$ 41,847.63

EXPENDITURES.

Proceeds of sales reinvested by departments.....	\$ 38,312.13	
Expenses of Hospital.....	3,172.70	\$ 41,484.83

The proceeds of sales are reinvested by the departments, thus constituting a revolving fund which represents, as it comes and goes, simply a change in the form of department assets.

The Hospital Fee does not go to the support of any educational department. It simply insures to the student, without expense, the privileges of the Hospital in case of sickness.

III. BALANCES AT CLOSE OF FISCAL YEAR, JUNE 30, 1906.

In the hands of the College Treasurer—

College support, including student funds.....	\$ 23,788.59
Agricultural Experiment Station.....	10,194.62
Engineer Experiment Station.....	1,288.14
Highway Commission.....	460.34
Special building tax.....	.56

Repairs and improvements.....	323.19	
Central Heating Plant.....	20	
Railroad damages, trust fund.....	88.00	\$ 36,143.64

In State Treasury—

Building tax	\$ 38,039.55	
Completing and furnishing Central Building....	28,371.79	
Dairy Farm and equipment.....	4,699.69	
Central Heating Plant appropriation.....	33,782.27	
Pure Bred Stock appropriation.....	.44	\$104,892.74
Total balances		\$141,036.38

It is the policy of the college not to draw funds from the State Treasury until needed. Only a small working balance is carried by the College Treasurer. In order, however, to avoid any legal question regarding the reversion of funds, support fund balances were drawn at the close of the year, thus making the balance in the College Treasurer's hands temporarily large.

IV. NUMBER OF INSTRUCTORS AND STUDENTS.

Professors, assistant professors and administrative officers....	63
Instructors and assistants	65
Total	128

STUDENT ENROLLMENT, 1905-6.

Division of Agriculture—

Animal Husbandry	212
Agronomy	64
Horticulture	23
Dairy	25
Science and Agriculture	4
Agriculture	21
Total	349

Division of Veterinary Science—

Veterinary Science	56
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Division of Engineering—

Mechanical Engineering	129
Civil Engineering	268
Electrical Engineering	241
Mining Engineering	46
Engineering	31
Total	715

Division of Science—

Science	96
General and Domestic Science.....	76
Domestic Science	40
Total	212

Miscellaneous—

Music	31
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Grand total	1363
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SHORT COURSE ENROLLMENT.

Winter Courses	737
Good Roads	39
Total	776
Total student enrollment	1363
Total Short Course Enrollment.....	776
Grand total	2139

Respectfully submitted.

E. W. STANTON,
Secretary Board of Trustees.

STATE UNIVERSITY OF IOWA.

IOWA CITY.

OFFICE OF THE SECRETARY OF THE BOARD OF REGENTS.
 January 10, 1907.

To the Members of the Thirty-second General Assembly of the State of Iowa:

I submit herewith my special report for the year commenced July 1, 1905, and ended June 30, 1906, in accordance with the provisions of Chapter 104, Acts of the Thirtieth General Assembly.

Very respectfully,

W. J. McCHESNEY,
Secretary of the Board of Regents.

TABLE OF CONTENTS.

Letter of Transmittal.....	1
The Board of Regents.....	3
Receipts and Disbursements, 1905-'06—Summary.....	4
Balances in Funds in the University Treasury, June 30, 1906.....	5
Receipts, Funds for the Erections of Buildings, Etc.....	6
Receipts, Income Fund.....	7
Receipts, Special Funds.....	8
Hospital Receipts.....	9
Expenditures, Building Tax Fund.....	10
Expenditures, Engineering Building Fund.....	11
Expenditures, Tunnel and Extension Fund.....	11
Expenditures, Repair and Contingent Fund.....	12
Expenditures, Equipment and Supplies Fund.....	13
Expenditures, Equipment Fund, New Medical Buildings.....	13
Expenditures, Income Fund.....	14
Expenditures, Special Funds.....	15
Disbursements in Hospital Accounts.....	17
Balances in State Treasury to the Credit of the University, June 30, 1906	18

Registrar's Report.

Table I.—Instructors in entire University.

Table II.—Instructors in summer session of University.

Table III.—Students registered in each College of the University.
 Table IV.—Students registered in each department of each College
 of the University.

THE BOARD OF REGENTS.

Members Ex-Officio.

His Excellency, Albert B. Cummins, Governor of Iowa.
 John F. Riggs, Superintendent of Public Instruction.

Terms Expire 1908.

Fourth District—Alonzo Abernethy, Osage.
 Eleventh District—Parker K. Holbrook, Onawa.
 Tenth District—Joseph H. Allen, Pocahontas.
 Third District—Charles E. Pickett, Waterloo.

Terms Expire 1910.

Ninth District—V. L. Treynor, Council Bluffs.
 Eighth District—J. W. Lauder, Afton.
 Fifth District—Thomas B. Hanley, Tipton.

Terms Expire 1912.

Sixth District—William D. Tisdale, Ottumwa.
 First District—W. I. Babb, Mt. Pleasant.
 Second District—Joe R. Lane, Davenport.

Officers of the Board.

William J. McChesney, Iowa City, Secretary.
 Lovell Swisher, Iowa City, Treasurer.

Parker K. Holbrook, }
 Alonzo Abernethy, } Executive Committee.
 Joe R. Lane, }
 George E. MacLean, President of the University.

THE STATE UNIVERSITY OF IOWA.

IOWA CITY.

Statement of Receipts and Disbursements for the year commenced
 July 1, 1905, and ended June 30, 1906:

RECEIPTS.

Funds for the Erection of Buildings, Etc.—	
(See page 6).....	\$ 204,962.34
Income Fund—	
(See page 7).....	266,439.92
Special Funds—	
(See page 8).....	47,466.68

Total receipts.....

\$ 518,868.94

The A. Whitney Carr Free Scholarship Interest Fund, the F. O. Lowden Oratory Prize Interest Fund, and the W. J. Bryan Prize Interest Fund, are not shown in this statement, as these funds are held in trust by the University, the income going to pay scholarships, prizes, etc., and in no way affecting the University's income.

The Hospital Funds are not included in the above statement. For accounts of these funds, see pages 9 and 17.

DISBURSEMENTS.

Funds for the Erection of Buildings, Etc.—	
Building Tax (See page 10)	\$ 123,781.68
Engineering building fund (See page 11)	\$66,322.74
Less amount transferred from building tax fund, and included in building tax expenditures above	\$19,531.94
	\$ 46,790.80
Heating tunnel and extension fund (See page 11)	5,090.32
Repair and contingent fund (See page 12)	7,495.58
Equipment and supplies fund (See page 13)	10,736.05
Equipment fund, new medical buildings (See page 13)	\$ 2,721.50
Less amount transferred from building tax fund, and included in building tax expenditures above	\$ 1,500.00
	1,221.50
	\$ 195,115.93
Income fund (See pages 14 and 15)	263,256.86
Special Funds—	
Library fund (See page 15)	\$ 10,346.11
Special land fund (See page 15)	20,170.11
Paving and sidewalks fund (See page 16)	1,137.55
Dam and water power fund (See page 16)	8,441.43
	40,095.20
Total disbursements	\$ 498,467.99

BALANCE IN FUNDS IN UNIVERSITY TREASURY, JUNE 30, 1906.

Funds for the Erection of Buildings, Etc.—	
Building tax fund	\$ 8,620.68
Engineering building fund	166.80

Heating tunnel and extension fund.	28.95
Repair and contingent fund.....	4.42
Equipment and supplies fund.....	50.65
Equipment fund, new medical buildings	974.91
Income fund (excluding hospital surpluses for the year).....	3,183.06

Special Funds—

Library fund.....\$	40.29
Special land fund.....	802.31
Donated land fund.....	1,982.91
Paving and sidewalks fund.....	2,987.40
Dam and water power fund.....	1,558.57

Total Balances.....	\$	20,400.95
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The University has no balances in departments to report, since any unexpended balances in departmental appropriations revert to income fund at the close of each fiscal year.

Total receipts, as shown.....	\$	518,868.94
Total disbursements.....\$	498,467.99	
Balances	20,400.95	
	\$	518,868.94
	\$	518,868.94

Amount of moneys available from all sources, during the year commenced July 1, 1905, and ended June 30, 1906, for the erection, equipment, improvement, and repair of buildings at the University:

1-5 Mill Building Tax Fund (Twenty-ninth General Assembly, Chapter 171, Section 2.)

Balance in building tax fund proper, July 1, 1905.....\$	145.74	
Balance carried under head of "Natural Science Building Fund"....	1,422.43	
Balance carried under head of "New Medical Buildings Fund".....	809.19	
Received—State warrants.....	130,000.00	
Received—old material sold.....	25.00	
	\$	132,402.36

Engineering Building Fund (Thirtieth General Assembly, Chapter 156, Section 2.)

Balance on hand, July 1, 1905.....\$	9,457.60	
Received—State warrants.....	37,500.00	
	\$	46,957.60

Heating Tunnel and Extension Fund (Thirtieth General Assembly, Chapter 156, Section 2.)

Balance on hand, July 1, 1905.....	\$ 119.27	
Received—State warrants.....	5,000.00	
	<hr/>	\$ 5,119.27
Repair and Contingent Fund (Thirtieth General Assembly, Chapter 156, Section 2.)		
Received—State warrants.....	\$ 7,500.00	
	<hr/>	\$ 7,500.00
Equipment and Supplies Fund (Thirtieth General Assembly, Chapter 156, Section 2.)		
Balance on hand, July 1, 1905.....	\$ 786.70	
Received—State warrants.....	10,000.00	
	<hr/>	\$ 10,786.70
Equipment Fund, New Medical Buildings (Twenty-ninth General Assembly, Chapter 183, Section 2.)		
Balance on hand, July 1, 1905.....	\$ 2,196.41	
	<hr/>	\$ 2,196.41
Total		\$ 204,962.34

Receipts from all sources, during the year commenced July 1, 1905, and ended June 30, 1906, going to make up the "Income Fund" of the University, except hospital receipts:

State Appropriations for Support—		
Code, 1897, Section 2643.....	\$ 65,500.00	
Twenty-seventh General Assembly, Chapter 142, Section 1.....	10,000.00	
Twenty-eighth General Assembly, Chapter 152, Section 2.....	50,000.00	
Twenty-ninth General Assembly, Chapter 183, Section 2.....	39,375.00	
Thirtieth General Assembly, Chap- ter 156, Section 2.....	25,000.00	
	<hr/>	\$ 189,875.00
Tuition—		
College of Liberal Arts.....	\$ 12,968.25	
College of Law.....	9,699.00	
College of Medicine.....	12,716.75	
College of Homeopathic Medicine...	2,374.50	
College of Dentistry.....	9,256.50	
College of Pharmacy.....	2,602.25	
Graduate College.....	163.50	
College of Applied Science.....	2,401.50	
Summer Session and Library School.	1,081.00	
Special examination fees.....	105.00	
	<hr/>	\$ 53,368.25

Diploma fees.....	\$	3,145.00
Ophthalmology and Othology receipts		489.87
Dental Clinic receipts.....		4,609.62
Law Loan Book Account receipts...		333.50
Interest on daily bank balances.....		1,195.92
Miscellaneous cash—rents, material sold, laboratory breakage, depos- its, net, locker rentals, etc.....		1,043.06
Interest on permanent land endow- ment fund.....		11,852.43
Rent on permanent land endowment.		376.99
Transferred from repair and contin- gent fund, to correct error of pre- vious year.....		150.28
Total	\$	<u>266,439.92</u>

Amount of moneys available for special purposes, not connected with "erection, equipment, improvement, and repair of buildings," or going to make up the "Income Fund" of the University, during the year commenced July 1, 1905, and ended June 30, 1906:

Library Fund (Thirtieth General Assembly, Chapter 156, Section 2.)		
Balance to the credit of this fund, previously carried, in error, as part of income fund, transferred July 1, 1905, to the separate ac- count of the special library fund..\$	386.40	
Received—State warrants.....	10,000.00	
		\$ 10,386.40
Special Land Fund (Thirtieth General Assembly, Chapter 156, Section 2, and Thirty-first General Assembly, Chapter 182, Section 2.)		
Balance on hand, July 1, 1905.....\$	1,064.42	
State warrants—Thirtieth General Assembly	12,500.00	
State warrants—Thirty-first General Assembly	6,000.00	
Received—rents and materials sold.	1,408.00	
		\$ 20,972.42
Donated Land Fund—		
Balance on hand, July 1, 1905.....\$	1,651.12	
Rents on land and interest on loans	331.79	
		\$ 1,982.91
Paving and Sidewalks Fund (Thirtieth General Assembly, Chapter 156, Section 2.)		
Balance on hand, July 1, 1905.....\$	124.95	
Received—State warrants.....	4,000.00	
		\$ 4,124.95

Dam and Water Power Fund (Thirtieth General Assembly, Chapter 156, Section 2.)

Received—State warrants.....\$	10,000.00	
		\$ 10,000.00
Total		\$ 47,466.68

The A. Whitney Carr Free Scholarship Interest Fund, the F. O. Lowden Oratory Prize Interest Fund, and the W. J. Bryan Prize Interest Fund, are not shown in this statement, as these funds are held in trust by the University, the income going to pay scholarships, prizes, etc., and in no way affecting the University's income.

Hospital receipts at the University for the year commenced July 1, 1905, and ended June 30, 1906:

University Hospital—		
Hospital Earnings.....\$	18,154.98	
Nurses' earnings, outside of hospital	227.20	
Operating room fees.....	2,169.29	
		\$ 20,601.47
University Homeopathic Hospital—		
Hospital earnings.....\$	5,940.69	
Nurses' earnings, outside of hospital	306.97	
Operating room fees.....	621.50	
		\$ 6,869.16
Total		\$ 27,470.63

Expenditures from funds for the erection, equipment, improvement, and repair of buildings at the University, during the year commenced July 1, 1905, and ended June 30, 1906:

1-5 Mill Building Tax Fund—		
Expended under head of "Natural Science Building Fund," to pay for erection of Natural Science building. (For detailed account of this fund, see Secretary's printed annual report).....		\$ 82,556.74
Expended under head of "New Medical Buildings Fund." (For detailed account of this fund, see Secretary's printed annual report.		433.18
Transferred to Engineering Building Fund, to pay for completion of engineering building. (See page 11)		19,531.94

Returned to Equipment Fund, New Medical Buildings; balance of \$35,000.00 borrowed from said fund, August 26, 1903, by authority of Legislature, to use in erection of new medical buildings. . . .		1,500.00
Warrants of previous year, not charged to fund—entry to correct error		200.00
Expended for moving science hall, and building new foundation therefor		14,588.17
Erection of warehouse for general storage		238.93
Installation of new thermostatic valves for heating system in University hospital.		274.83
Extension of steam and electric lines to Engineering building.		226.03
Installation of automatic electric elevator at University hospital.		2,246.24
Miscellaneous alterations, improvements, and repairs—cost of labor and material.		484.82
G. H. Ellsworth, part salary as Superintendent of Construction and Maintenance; (total salary, \$1,800.00: remainder charged to other funds)		975.00
D. S. Welch, part salary as assistant to superintendent; (total salary, \$65.00 a month; remainder charged to other funds.		422.50
Expenses, P. K. Holbrook, on trip to visit Eastern museum buildings, February and March, 1904, by order of Board of Regents.		133.30
Total expenditures, building tax.		\$ 123,781.68
Balance in Building Tax Fund.	9,754.99	
Less overdraft under head of "Natural Science Building Fund"	1,134.31	
		<u>\$ 8,620.68</u>
		\$ 132,402.36

Engineering Building Fund--

The \$46,957.60 available directly in this fund, together with the \$19,531.94, transferred from building tax, making a total of \$66,489.54, was expended as follows:

Paid William Grace Company on contract for erection of building. \$ 57,597.87

Proudfoot & Bird, architects.....	847.82		
Electrical and lighting work and supplies	1,359.29		
Steam heating and plumbing work and supplies	4,340.51		
Blackboards	217.87		
Miscellaneous expenditures for labor and material	1,959.38		
Total expenditures		\$	66,322.74
	\$ 14,281.82	\$	14,281.82
Balance on hand June 30, 1906....	166.80		
		\$	66,489.54
Heating Tunnel and Extension Fund—			
Expended for labor and material on heating tunnel and extension (for detailed account see Secretary's printed report	5,090.32		
Balance on hand June 30, 1906....	5,090.32		
Total expenditures		\$	5,090.32
Balance on hand June 30, 1906....	28.95		
		\$	5,119.27
Repair and Contingent Fund—			
General repairs	\$ 2,052.36		
Old Capitol repairs.....	125.63		
Hall of Liberal Arts repairs.....	124.05		
Physics building repairs.....	72.70		
Dental building repairs.....	470.45		
Science hall repairs.....	68.75		
Medical Laboratory building repairs.	32.74		
Anatomy building repairs.....	61.25		
Chemical laboratory repairs.....	281.01		
University hospital repairs.....	606.60		
Homeopathic hospital repairs.....	817.70		
Engineering building repairs.....	26.28		
Armory and athletic pavilion repairs	112.60		
Power house and heating system re- pairs	69.30		
Electrical engineering laboratory re- pairs	69.30		
Work on campus	516.98		
Athletic field maintenance and repairs	289.36		
University's share in construction of Madison Street sewer.....	514.00		
Part salary of University electrician (total salary \$75 a month; re- mainder paid from other funds)..	375.00		

Part salary of assistant to superintendent (total salary \$65 a month; remainder paid from other funds)	325.00	
Total expenditures		\$ 7,345.30
Transferred to income fund to correct error of previous year.....	150.28	
		\$ 7,495.58
Cash on hand June 30, 1906.....	4.42	
		\$ 7,500.00
Equipment and Supplies Fund—		
College of Applied Science, apparatus and supplies for all departments.\$	3,016.37	
Engineering building furniture.....	3,658.64	
Physics and mechanics' apparatus and supplies	690.93	
Forestry apparatus and supplies....	97.51	
Archaeology apparatus and supplies	79.05	
Commerce and statistics apparatus and supplies	314.77	
Chemistry laboratory equipment....	1,214.50	
Pathology and bacteriology apparatus and supplies	108.97	
Dental building equipment.....	217.28	
Dental laboratory apparatus and supplies	650.00	
Athletic pavilion apparatus.....	597.72	
Miscellaneous supplies	90.31	
Total expenditures		\$ 10,736.05
Balance on hand June 30, 1906....	50.65	
		\$ 10,786.70
Equipment Fund, New Medical Buildings—		
Equipment department of histology.\$	442.68	
Equipment department of ophthalmology and otology.....	9.04	
Equipment department of pathology and bacteriology	545.85	
Equipment department of physiology	212.87	
Equipment department of theory and practice	3.42	
Equipment department of anatomy..	161.97	
Equipment department of surgery..	91.98	
Equipment bacteriological laboratory...	1,252.62	
Miscellaneous supplies	1.07	
Total expenditures		\$ 2,721.50
		\$ 3,696.41

Cash on hand June 30, 1906 974.91

Expenditures from Income Fund for the year commenced July 1, 1905, and ended June 30, 1906. (For itemized account of all disbursements summarized below, see Secretary's printed annual report.)

Cost of Instruction—

Colleges of Liberal Arts and Applied
 Science \$ 95,968.60
 College of Law 12,186.65
 College of Medicine 20,316.70
 College of Homeopathic Medicine 5,240.00
 College of Dentistry 12,320.00
 College of Pharmacy 3,510.00
 Summer Session and Library School 4,508.56

Total cost of instruction \$ 154,050.51

Cost of Administration—

Salaries 13,027.50
 Supplies 376.05

Total cost of administration 13,403.55

General Library—

Salaries \$ 3,332.07
 Supplies 300.00

(Books, periodicals, and binding are paid for from the special library appropriation; see page 15.)

Total expense of library from
 Income Fund 3,632.07

Graduate College—

Fellowships and scholarships 3,497.50
 Office assistance, supplies, etc. 150.00

Total cost of Graduate College 3,647.50

Cost of Apparatus and Supplies of Departments—

Colleges of Liberal Arts and Applied
 Science 5,735.83
 College of Law 100.00
 College of Medicine 6,702.31
 College of Homeopathic Medicine 210.00
 College of Dentistry 3,320.00
 College of Pharmacy 945.65
 Summer Session and Library School 131.44

Total cost of apparatus and supplies of departments \$ 17,145.23

University extension expenses 275.53

Law loan book account expenses—

law books 504.52

Alumni book account expenses—books 30.45

Fixed charges or general expenditures, such as fuel, light, janitor

service, services of engineer and firemen, etc.	59,651.83	
Tuitions refunded	85.00	
	<hr/>	
Total expenditures Income fund..		\$ 252,426.19
Balance of library fund previously carried as part of Income Fund, transferred July 1, 1905, to separate account of special library fund	386.40	
Overdraft of previous year.....	10,444.27	
	<hr/>	
		263,256.86
Balance on hand June 30, 1906, exclusive of the year's surpluses in the hospital accounts, which are carried on the University's books as part of Income Fund.....	3,183.06	
	<hr/>	
		\$ 266,439.92
Expenditures for special purposes, not connected with the "erection, equipment, improvement, and repair of buildings," or going to make up the Income Fund of the University during the year commenced July 1, 1905, and ended June 30, 1906.		
Library Fund—		
Expended for books, periodicals, and binding as set out in the Secretary's printed annual report.....	\$ 10,346.11	
	<hr/>	
Total expenditures		\$ 10,346.11
Balance on hand June 30, 1906..	40.29	
	<hr/>	
		\$ 10,386.40
Special Land Fund—		
Expended for land as set out in the Secretary's printed annual report	20,170.11	
	<hr/>	
Total expenditures		\$ 20,170.11
Balance on hand June 30, 1906....	802.31	
	<hr/>	
		\$ 20,972.42
Donated Land Fund—		
No expenditures.		
Balance on hand June 30, 1906		\$ 1,982.91
Paving and Sidewalks Fund—		
Expended for paving, curbing and laying sidewalks, as set out in Secretary's printed annual report	1,137.55	
	<hr/>	
Total expenditures	\$ 1,137.55	
Balance on hand June 30, 1906*.....		\$ 2,987.40
	<hr/>	
		\$ 4,124.95

* This balance was held to pay for paving on Iowa avenue in Iowa

City, which had been contracted for, but was not completed before June 3., 1906.

Dam and Water Power Fund—

Paid William Horrabin, on contract for construction of the dam.....	\$	8,374.32	
Paid various persons—labor		67.11	
			<hr/>
Total expenditures	\$	8,441.43	
Balance on hand June 30, 1906.....	\$	1,558.57	
	\$	10,000.00	

EXPENDITURES FROM HOSPITAL RECEIPTS FOR THE YEAR COMMENCED JULY 1, 1905, TO JUNE 30, 1906.

University Hospital—

Salaries	\$	3,145.62	
Help		1,743.70	
Provisions		8,620.41	
Household		4,486.71	
Medicine		2,338.58	
			<hr/>
Total expenditures		20,335.02	
Surplus for the year.....	\$	266.45	
			<hr/>
	\$	20,601.47	

University Homeopathic Hospital—

Salaries	\$	1,172.00	
Help		432.00	
Provisions		2,655.96	
Household		1,104.16	
Medicine		595.16	
			<hr/>
Total expenditures.....	\$	5,959.28	
Surplus for the year	\$	909.88	
			<hr/>
	\$	6,869.16	

For more detailed account of these expenditures see Secretary's printed annual report.

BALANCES IN STATE TREASURY TO THE CREDIT OF THE UNIVERSITY, JUNE 30, 1906.

State Support Fund	\$	50,708.33
Repair and Contingent Fund		1,875.00
Equipment and Supplies Fund		10,500.00
Pavings and Sidewalks Fund		3,500.00
Tunnel and Extension Fund		1,250.00
Equipment, Natural Science Building Fund.....		16,000.00
Dam and Water Power Fund.....		1,250.00
Library Fund		7,500.00
Special Land Fund		24,000.00
New Boiler Fund		3,500.00
University Hospital Wing Fund		20,000.00
Engineering Shops Fund		30,000.00
Building Tax Fund		41,443.98

TABLE I.

Showing the number of instructors in the University during the year ending, June, 1906.

<i>Instructors</i>	1905-1906.
Professors	64*
Assistant Professors	13**
Instructors and Assistant Instructors	44
Fellows	8
Scholars	15

* Including five professors emeriti and two honorary professors.

** Including two acting professors and one acting assistant professor.

TABLE II.

Showing the number of instructors in the Summer Session of the University during the year ending June, 1906.

<i>Instructors.</i>	1905.
Professors	18
Assistant Professors	0
Instructors and Assistant Professors.....	2
Assistants	6

TABLE III.

Showing the number of students registered in each College of the University during the year ending June, 1906.

<i>Colleges.</i>	1905-1906.
Liberal Arts	799
Law	294
Medicine	291
Homoepathic Medicine	62
Dentistry	189
Pharmacy	51
Summer Session	259
Graduate Course	166
Applied Science	162
Total	2173
Excluding duplicates	358
Net total	1815

TABLE IV.

Showing the number of students registered in each department of each College of the University during the year ending June, 1906.

Departments.
Liberals Arts and Graduate—

1905-1906.

	Ist Sem.	2d Sem.
.....	*	*
Botany	230	250
Chemistry	**476	**514
Economics and Sociology	187	208
Education	151	177
English	623	543
French	174	147
Geology	89	94
German	381	336
Greek	46	64
History	316	263
Latin	177	134
Mathematics	247	243
Military Science	233	236
Philosophy	129	136
Physical Training	473	550
Physics	89	38
Political Science	170	125
Public Speaking	129	125
Scandinavian	10	21
Zoology	152	148

Summer Session—Six Weeks.

1905-1906.

.....	*
Animal Biology	33
Botany	31
Chemistry	16
Education	96
English	99
French	43
Geology	20
German	44
Greek	5
History	67
Latin	35
Mathematics	48
Philosophy	29
Physics	25
Political Science	34
Political Economy	33
Public Speaking	26

* Excluding duplicate, *i. e.*, a student registered in *more than one course* in a department is counted *only once*.

** Including students of chemistry in all of the Colleges of the University except the College of Law.

<i>Departments.</i>	1905-1906.	
	1st. Sem.	2d Sem
<i>Law—</i>		
.....	*	*
Byers	188	138
Gilbert	61	185
Gregory	188	107
Hayes	124	225
Towner	59	**
Wilcox	178	175
<i>Medicine—</i>		
Anatomy and Histology	463	478
Gynecology	119	112
Materia Medica	203	257
Obstetrics	113	118
Ophthal, Otol., Rhinol., etc.....	58	57
Pathology	268	257
Physiology	319	390
Surgery	114	115
Theory and Practice of Medicine	111	169
Crawford—Surgical Technic.....	60	**
Decker—Pediatrics	52	**
Hill—Insanity	**	60
Kessler—Dermatology	53	54
Nurses' Training School
<i>Homeopathic Medicine—</i>		
.....	*	*
Materia Medica	45	45
Obstetrics	12	24
Ophthal., Otol., Rhinol., etc.....	20	13
Surgery	27	..
Theory and Practice of Medicine.....	26	27
Hazard—Pediatrics	8	17
Nurses' Training School	12	13
<i>Dentistry—</i>		
.....	*	*
Operative Dentistry	165	167
Oral Surgery	32	70
Orthodontia	74	69
Prosthetic Dentistry	164	169
Regional Anatomy	27	46
<i>Pharmacy—</i>		
.....	*	*
Pharmacognosy	49	183

Applied Science—

.....	*	*
Civil Engineering	67	58
Electrical Engineering	10	7
Mechanical Engineering	35	43

* Excluding duplicates—*i. e.*, a student registered in *more than one course* in a department is counted *only once*.

** Course not given in this semester.

|| Gilchrist—Deceased before 2d Sem.

Respectfully submitted

January 14, 1907.

H. C. DORCAS,
Registrar.

The following report of the Iowa State Normal School was presented and ordered printed in the Journal:

IOWA STATE NORMAL SCHOOL SPECIAL FINANCIAL REPORT, GIVING A SUMMARIZED STATEMENT FOR THE FISCAL YEAR JULY 1, 1905, to JUNE 30, 1906, AND THE ESTIMATED INCOME AND EXPENSES FOR THE BIENNIAL PERIOD JULY 1, 1907, TO JUNE 30, 1909.

To the Members of the Thirty-second General Assembly of the State of Iowa:

GENTLEMEN—The officers of the State Normal School have already filed the following reports concerning the fiscal affairs of this Educational Institution. They are as follows: (1) Report to the Governor (Code 1897, Sec. 2680 and (2) Report to the Executive Council (Chapter 6, Acts of the Twenty-eighth General Assembly). It is necessary to refer to these for additional details should they be desired. This report is a special one and is in conformity to Chapter 104, Laws of the Thirtieth General Assembly. It contains (1) Summaries of the several funds for the fiscal year and (2) an estimate of the income and expenses that may be anticipated for the biennial period 1907-1909. The endeavor is hereby made to fully comply with the requirements of the law and also to give such additional information as will aid the members of the General Assembly in properly and economically providing for the support and development of this Special Educational Institution.

SUMMARIES OF THE SEVERAL FUNDS FOR THE FISCAL YEAR JULY 1, 1905, TO JUNE 30, 1906.

I. *Millage Fund.* (1-10 Mill Tax.)

On hand July 1, 1905.....	\$ 373.81
State warrants—1905-1906	45,000.00
Freight refunded	15.90
Expended in 1905-1906.....	\$ 45,365.68
Balance on hand, June 30, 1906.....	24.03
	\$ 45,389.71
	\$ 45,389.71

II. *Teachers' Fund.*

State warrants, 1905-1906.....	\$ 72,500.00	
Pro rata on State warrants, up to June 30, '05...	4,166.66	
Pro rata on State warrants, since June 30 '05....	2,645.83	
From student fees	6,000.00	
Expended, 1905-1906	\$ 79,450.00	
Balance on hand, June 30, 1906.....	5,862.49	
	<hr/>	
	\$ 85,312.49	\$ 85,312.49

III. *Contingent Fund.*

On hand July 1, 1905	\$ 2,233.85	
State warrants, 1905-1906.....	34,000.00	
Pro rata on State warrants, up to June 30, '05...	3,125.00	
Pro rata on State warrants, since June 30, '05...	1,041.67	
Sale of material.....	813.34	
Tuition, Ind. District of Cedar Falls—1904-1905.	1,955.07	
Tuition, Ind. District of Cedar Falls—1905-1906.	1,916.75	
Tuition, District No. 5.....	333.87	
From student fees	6,800.00	
Expended, 1905-1906	\$ 45,202.98	
Balance on hand, June 30, 1906.....	7,016.57	
	<hr/>	
	\$ 52,219.55	\$ 52,219.55

IV. *Summer Term Fund.*

State warrant, 1905-1906.....	\$ 7,000.00	
Pro rata on State warrant, since June 30, 1905...	216.55	
From student fees	5,680.00	
Paid for instruction, 1905.....	\$ 12,680.00	
Balance on hand, June 30, 1906.....	216.65	
	<hr/>	
	\$12,896.65	\$ 12,896.65

V. *Library Fund.*

On hand, July 1, 1905.....	\$ 528.64	
State warrants, 1905-1906.....	2,500.00	
From fines, lost books.....	102.75	
Expended for books, periodicals and binding...\$	2,017.24	
Balance on hand, June 30, 1906.....	1,114.15	
	<hr/>	
	\$ 3,131.39	\$ 3,131.39

VI. *Library Salary Fund.*

On hand, July 1, 1905.....	\$ 26.87	
State warrants, 1905-1906.....	2,500.00	
Salaries of Librarians, 1905-1906.....	\$ 2,265.94	
Balance on hand, June 30, 1906.....	260.93	
	<hr/>	
	\$ 2,526.87	\$ 2,526.87

VII. *Commencement Contingent Fund.*

On hand, July 1, 1905.....	\$ 285.52	
From diploma fees, 1905-1906.....	300.00	
Commencement expenses, June, 1906.....	\$ 463.55	
Balance on hand, June 30, 1906.....	121.97	
	<hr/>	
	\$ 585.52	\$ 585.52

VIII. *Special Funds of All Kinds.*

1. **Additional Boiler Fund.**

On hand July 1, 1905.....		\$	15.13
Expended 1905-1906	\$	15.13	
	\$	15.13	\$ 15.13

2. **Grading, Paving and Walks Fund, No. 1—**

On hand July 1, 1905.....		\$	251.48
State warrants, 1905-1906.....			750.00
Expended, 1905-1906	\$	1,001.48	
Account balanced	\$	1,001.48	\$ 1,001.48

3. **Paving and Walks and Improvement Fund, No. 2—**

State warrants, 1905-1906.....		\$	750.00
Expended, 1905-1906	\$	251.01	
Balance on hand, June 30, 1906.....		498.99	
	\$	750.00	\$ 750.00

IX. *Statement of Student Fees, Collected during the period—1905-1906—
with disposal made of the same.*

Balance on hand July 1, 1905.....		\$	10,137.66
Fees received 1905-1906.....			22,076.95
Paid to Teachers' Fund	\$	6,000.00	
Paid to Contingent Fund.....		6,800.00	
Paid to Summer Term Fund.....		5,680.00	
Paid for Lecture Course and expenses of the Summer Term, 1905.....		464.58	
Balance on hand, June 30, 1906.....		13,270.03	
	\$	32,214.61	\$ 32,214.61

STATISTICAL INFORMATION REQUIRED.

	1905-1906
Number of students in Teachers Course.....	2346
Number of pupils in Training Schools.....	390
Total	2736

FACULTY OF INSTRUCTION.

Regular School Year.	1905-1906.	1906-1907.
Number of Professors.....	34	35
Number of Assistant Professors.....	9	9
Number of Instructors.....	14	15
Number of Assistants.....	14	17
Totals	71	76

NOTE.—Unexpected changes and part of day service have given partial salaries as follows:

	Instructors.	Assistants.
1905-1906	2	7

FACULTY OF INSTRUCTION—SUMMER TERM.

	1905.	1906.
Professors	30	34
Assistant Professors	5	5
Instructors	9	10
Assistants	8	11
Total	52	60

Students enrolled Summer Terms, already reported among Students Annually Enrolled.

	1905.	1906.
Teacher Students	1203	1266

AN ESTIMATE OF THE INCOME AND THE EXPENSES OF THE IOWA STATE NORMAL SCHOOL.

BIENNIAL PERIOD, JULY 1, 1907 TO JUNE 30, 1909.

Financial Statement Condensed:—showing present support, necessary expenditures, present demands and actual needs of the biennial period July 1, 1907, to June 30, 1909.

I. <i>Teachers' Fund.</i>	<i>Expense.</i>	<i>Income.</i>
1. Permanent fund now granted annually.....		\$ 77,500.00
2. Salaries of teachers, 1906-1907.....	\$ 80,000.00	
3. Necessary readjustments of salaries of next biennial period	2,500.00	
4. Necessary new teachers.....	4,000.00	
5. Shortage to be supplied from students fees...		9,000.00
	<hr/>	<hr/>
	\$ 86,500.00	\$ 86,500.00

NOTE.—The readjustments of salaries contemplated by Item 3 reaches twenty-one teachers who are deserving of a small addition being made to their respective salaries since it has been the policy for two decades to start with a minimum and make advances from year to year as merit and strength of service are established. By this means a maximum is probably obtainable after five years of service. At the same time this maximum is kept within the amount able to be generally earned for equivalent successful service in other places as compared with the quantity of service demanded at the Normal School. If present conditions continue in the financial world it will be entirely impossible for the Normal School to maintain a reputable faculty of instructors on the maximum salaries now paid.

II. <i>Contingent Fund.</i>	<i>Expense.</i>	<i>Income.</i>
1. Permanent fund, now granted annually.....		\$ 34,000.00
2. Estimated receipts from contracts with school districts and from sales of material.....		5,000.00
3. Salaries of employes, 1906-1907.....	\$ 16,418.00	

4. Necessary increase to salaries of present employes	380.00	
5. Necessary new employes.....	1,570.00	
6. Fuel estimated	8,000.00	
7. Departments supplies estimated.....	7,000.00	
8. Office expenses—postage, printing, telegraph, telephone, estimated	1,000.00	
9. Quarterly Bulletin estimated.....	3,000.00	
10. Water, estimated	900.00	
11. Superintendent's department, express freight sundries, estimated	4,000.00	
12. Electric light, estimated	400.00	
13. Shortage to be supplied from students' fees..		3,668.00
	<hr/>	<hr/>
	\$42,668.00	\$ 42,668.00

NOTE.—The opening of the New Laboratory and the Music Hall necessitates additions to the force of janitors. It is also economy to have an employe who is an experienced workman, capable of doing work as a plumber, steam fitter, tinner, etc., as called for in item 4 of this estimate.

III. <i>Summer Term Fund.</i>	<i>Expense.</i>	<i>Income.</i>
1. Permanent fund now granted annually.....		\$ 8,000.00
2. Salaries of teachers paid, summer of 1906...\$	14,177.00	
3. Lectures and other expenses estimated.....	500.00	
4. Shortage to be paid from student fees.....		6,677.00
	<hr/>	<hr/>
	\$ 14,677.00	\$ 14,677.00

IV. <i>Library Fund.</i>	<i>Expense.</i>	<i>Income.</i>
1. Annual appropriation requested of the General Assembly		\$ 5,000.00
2. Annual necessary expenditure for new books periodicals, binding, to meet the demands of the work	\$ 5,000.00	
	<hr/>	<hr/>
	\$ 5,000.00	\$ 5,000.00

NOTE.—This is a very moderate expenditure to be annually made for the support and development of the library.

V. <i>Librarian Salary Fund.</i>	<i>Expense.</i>	<i>Income.</i>
1. Annual Appropriation requested of the General Assembly		\$ 5,000.00
2. Amount paid for library service, 1906-1907..\$	3,200.00	
3. Amount needed to secure additional service needed	1,800.00	
	<hr/>	<hr/>
	\$ 5,000.00	\$ 5,000.00

4. NOTE.—The management of the library needs to be much strengthened and the opportunities to use the same should be much

extended. The estimate here made is based upon the most rigid economy, provided good service and capability is the standard.

<i>VI. Paving and Permanent Walk Fund.</i>	<i>Expense.</i>	<i>Income.</i>
1. Appropriation requested to continue the permanent improvement being made as the plant is being completed for two years....		\$ 5,000.00
2. Amount needed to accomplish the work as planned on the most moderate basis of good material and good work.....	\$ 5,000.00	
	\$ 5,000.00	\$ 5,000.00

NOTE.—For the protection of the present property, including the floor and interior of the building as well as for the maintaining of a clean and sanitary condition insuring the health of the students, it is necessary to permanently pave certain drives and also complete the walks and curbing as now planned. Part of this work has been done and this appropriation is asked to continue as the new buildings of the plant are completed during the biennial period.

SUGGESTIONS AND RECOMMENDATIONS.

1. It is to be noted that the Board of Trustees has decided to endeavor to pass a biennial period without asking for additional teachers' fund or contingent fund. It will take the most rigid economy to do this, but such a course seems possible if prudent management encounters no unexpected emergencies. This makes imperative the granting of the full special appropriations asked, as without them the work of the Normal School will be severely crippled in its efficiency. This policy of endeavoring to get along with the present income does not mean that the Board of Trustees could not profitably put into the work a larger income should it be possessed; but it does mean to say that the Board of Trustees thinks that a school should be managed as carefully and as prudently as a business concern would be managed, and with this purpose in view this policy has been adopted. It remains to be said that the patronage of the school is assumed as promising to be about 2,500 students a year and on such basis and from experience of the past five years this conclusion was reached.

2. The efficiency and the capability of the Faculty of Instruction is of the greatest importance in a successful Normal School. All its teachers must possess (1) expert ability as instructors, (2) accurate and sensible scholarship of a kind that means fitness for giving practical instruction, and (3) special qualifications in personality and scholarship that make them masters of the branches to which they are assigned. Other schools need not be as careful as a normal school because their students do not necessarily become servants and teachers of the public. The representatives of the Normal School go at once to the people's schools and should be most thoroughly and efficiently instructed. To meet these standards has been the constant effort of the Board of Trustees in selecting the members of the Faculty of Instruction.

3. The Commencement Contingent Fund is obtained from diploma fees, receipts from dramatic programs at commencement and is disbursed

in payment for diplomas granted to graduates and for the entertainment of the members of the graduating classes and their friends at the annual commencement dinner given by the alumni. This avoids the necessity to make any appropriation for such functions and expenses from the regular funds of the School.

It will give the Board of Trustees pleasure to have an opportunity to give any additional information that may be wanted by any committee or any member of the General Assembly.

Respectfully submitted.

HOMER H. SEERLEY,
President.

CEDAR FALLS, IOWA.

January 14, 1907.

The President appointed the following messengers for the Senate:

Millard Border, President's messenger; Mathew Heartley, Abe Leon, William Hammer, Glen Arthur and Nixon Streit.

The following messengers appeared at the bar of the Senate and were duly sworn:

Millard Border, Abe Leon, Glen Arthur, Nixon Streit.

Senator Newberry offered the following resolution and moved its adoption:

Resolved, That a committee of three be appointed by the chair to arrange with ministers from different parts of the State to open the sessions of the Senate with prayer.

Adopted.

The President appointed as such committee the following Senators:

Newberry, Seeley and Moon.

Senator Smith of Mitchell moved that a roll call be had, each Senator announce his clerk, and that the clerks present come forward and be sworn.

Carried.

The following Committee Clerks appeared at the bar of the Senate and were duly sworn:

Florence Young, Public Health.
Ruth Hickman, Congressional and Judicial Districts.
Daisy Boyce, Compensation of Public Officers.

Cynthia Taylor, Horticulture and Forestry.
 Ollie F. Miller.
 Fanny Kimmel, Fish and Game.
 Irene Konvalinka, Public Libraries.
 Delores McGaugh, Educational Institutions.
 Bessie Byers, Rules.
 Geo. Gallarno, Cities and Towns.
 Libbie Voorhees, Commerce.
 Eleanor M. Hutchinson, Banks.
 Edith Warren, Corporations.
 Alice M. DeArmand, Clerk for Senator DeArmand.
 H. W. Stoy, Railroads.
 Helen S. Brannon, Public Lands.
 W. M. Clark, Claims.
 Belle I. Riddle, Judiciary.
 Kathryn Davis, Telephone and Telegraph.
 Mrs. Matie Jamieson, Clerk for Senator Jamieson of Page.
 Mamie Rollins, Mines and Mining.
 Conrad F. Hambrecht, Ways and Means.
 J. A. Norris, Printing.
 J. C. Franklin, Highways.
 Victor C. Cliff, Labor.
 Owen Stookey, Insurance.
 Margaret McDevitt, Elections.
 Kate Foley.
 Elsie Redman, Appropriations.
 Marion Stookey, Charitable Institutions.
 Cherry L. Hyde, Schools.
 Alices Murphy, clerk for Senator Wade.
 Marie E. Kinsman, Constitutional Amendments and Suffrage.
 Ora Williams, Secretary to Lieutenant Governor.
 Susie W. Hasselquist, Pharmacy.

Senator Hopkins moved that a committee of five be appointed on the assignment of committee rooms and hours of meeting.

Carried.

The President appointed as such committee the following Senators:

Elerick, Mattes, Jamison of Clarke, Maytag and Turner.

Senator Elerick moved that the resolution offered by Senator Stookey relative to the appointment of three additional pages be taken up for consideration.

Carried.

Senator Elerick moved the adoption of the resolution.

Adopted.

The President appointed as such additional pages:

J. Carroll Bennett and Charlie H. Grahl.

J. Carroll Bennett and Charlie H. Grahl were duly sworn.

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

INTRODUCTION OF BILLS.

By Senator Jamison of Clarke, Senate File No. 1, a bill for an act to amend the law which appears as Chapter Fifty-six, Acts of the Thirtieth General Assembly, relating to examination of insurance companies.

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

Senator Hopkins moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, Friday, January 18, 1907.

Senate met in regular session at 10:00 o'clock a. m. President Garst presiding.

Prayer was offered by the Rev. J. Everist Cathell of Des Moines, Iowa.

On request of Senator Frudden, leave of absence was granted Senator Foley until to-morrow.

PETITIONS AND MEMORIALS.

Senator Kimmel presented petition of citizens of Ocheyedan, requesting that the women's reformatory be established in some town where there is no penitentiary.

Referred to Committee on Judiciary.

Senator Whipple presented petition of citizens of Benton county, favoring an appropriation for the Benedict Home at Des Moines.

Referred to Committee on Appropriations.

Senator Whipple presented petition of G. A. R. Post of Urbana, Iowa, asking the enactment of a law prohibiting all sports or games on Decoration Day.

Referred to Committee on Judiciary.

Senator Whipple presented petition of forty constituents, asking the passage of a law making a mare and her offspring holding for stud service until same is paid.

Referred to Committee on Agriculture.

Senator Newberry presented petition of citizens of Volga, Iowa, recommending an appropriation for the benefit of the Benedict Home of Des Moines.

Referred to Committee on Appropriations.

Senator Burgess presented petition of two hundred forty-five constituents urging the passage of a bill providing for a two-cent railroad fare.

Referred to Committee on Railroads.

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 the appointment of a joint committee to draft suitable resolution commemorating the life and public services of the late Samuel L. Bestow, and appoint as committee on part of the House, Darrah of Lucas, Koontz of Johnson, Allred of Wayne.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Peterson, Senate File No. 2, a bill for an act providing for party nominations and election of party committeemen by primary elections and providing for penalties for the violation of the provisions thereof.

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

By Senator Crossley, Senate File No. 3, 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.

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

By Senator Turner, Senate File No. 4, a bill for an act to repeal Section two thousand and seventy-seven (2077), of the Code, relating to railroad passenger rates, and to enact a substitute therefor.

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

HOUSE MESSAGE CONSIDERED.

Senate concurrent resolution, relative to appointment of a joint committee to draft suitable resolution commemorating the life and public services of the late Samuel L. Bestow.

Passed on file.

The Journal of yesterday was then taken up for correction.

Senator Bleakly moved that a committee of three be appointed to prepare matter to be inserted in yesterday's Journal, relative to the presentation of flowers to Senator Jackson.

Carried.

The President declared the Journal approved.

Senator Dowell moved that to-morrow being "Booster Day" for Des Moines, the Senate take a recess from 11:00 to 11:30 o'clock a. m. and that the President be authorized to invite a member of the Boosters' Committee to speak to the Senate at such time.

Carried.

The President appointed the following Senators as committee on the motion made by Senator Bleakly, in regard to inserting in yesterday's journal, matter pertaining to the presentation of flowers to Senator Jackson: Senators Bleakly, Newberry, and Dowell.

Senator Dowell moved that when the Senate adjourn, it be until 10:30 o'clock a. m. to-morrow.

Carried.

Senator Allen moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, January 19th, 1907.

Senate met in regular session at 10:30 o'clock a. m. President Garst presiding.

President Garst presiding.

Prayer was offered by the Rev. Frank F. Beckerman of Des Moines, Iowa.

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

On request of Senator Turner leave of absence was granted Senator Clark until Monday.

On request of Senator Allen leave of absence was granted Senator Moon until Monday.

On request of Senator Allen leave of absence was granted Senator Young until Monday.

On request of Senator Stirton leave of absence was granted Senator Stuckslager until Monday.

On request of Senator Wilson of Clinton leave of absence was granted Senator Crossley until Monday.

On request of Senator Burgess leave of absence was granted Senator Foley until Monday.

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

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 substitute concurrent resolution in which the concurrence of the Senate is asked:

Concurrent resolution relative to the appointment of a joint committee upon additional employes.

Resolved, by the House, the Senate concurring, That the Committee on Retrenchment and Reform of the Senate and the committee of the House on Retrenchment and Reform be a committee to select and employ extra help for the Thirty-second General Assembly, and to fix the compensation therefor.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Smith of Mitchell Senate File No. 5, a bill for an act defining wife desertion and failure to support wife or family, providing punishment therefor, and permitting a husband or wife to be a witness in such cases.

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

Senator Maytag introduced the following concurrent resolution and moved its adoption:

SENATE CONCURRENT RESOLUTION.

Be it Resolved by the Senate, the House concurring, That the President of the Senate and the Speaker of the House appoint committees of five members, two on the part of the Senate, 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 February 8, 1907. For the purpose of carrying this resolution into effect, be it further

Resolved, That when adjournment is taken Wednesday, January 23d, it be to reconvene Monday, January 28th, at 2 o'clock P. M.

Adopted.

HOUSE MESSAGE CONSIDERED.

House submitted concurrent resolution relative to the appointment of a joint committee upon additional employes.

REPORT OF COMMITTEE.

Senator Peterson from the Committee on Rules submitted the following report:

MR. PRESIDENT—Your Committee on Rules beg leave to submit the following report:

We recommend that the Senate rules of the Thirty-first General Assembly be adopted as the Senate rules for the Thirty-second General Assembly with the omission of sub-division (d) of section 19 of said rules.

C. F. PETERSON,

Chairman.

Senator Peterson moved the report of the committee be adopted.
Carried.

Senator Elerick from the Committee on the Assignment of Committee Rooms submitted the following report:

MR. PRESIDENT—Your Committee on the Assignment of Committee Rooms beg leave to report that they have had the same under consideration and have instructed me to report and recommend the following assignments:

	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.
ROOM 16—						
Charitable institutions	9 a. m.			9 a. m.		
Commerce			3 p. m.			
Manufactures				3 p. m.		
Horticulture and Forestry					3 p. m.	
ROOM 17—						
Sen. and Rep. Districts		2 p. m.		2 p. m.		
Mines and Mining	2 p. m.				2 p. m.	
Public Health			3 p. m.			3 p. m.
Pharmacy					4 p. m.	
ROOM 18—						
Suppression of Intemperance	9 a. m.		9 a. m.		3 p. m.	
Highways		9 a. m.		9 a. m.		2 p. m.
Military		2 p. m.		2 p. m.		
Corporations	2 p. m.		2 p. m.			
ROOM 19—						
Claims			2 p. m.		2 p. m.	
Building and Loan Ass'n	1:30 p. m.			1:30 p. m.		
Telegraph and Telephone	3 p. m.				3 p. m.	
ROOM 20—						
Cong'l and Judicial Districts	9 a. m.			3 p. m.		
Public Libraries	3 p. m.			9 a. m.		
Fish and Game		9 a. m.	3 p. m.			
Federal Relations		2 p. m.			9 a. m.	
ROOM 21—						
Educational Institutions	2 p. m.				2 p. m.	
Banks			2 p. m.		9 a. m.	
Labor	9 a. m.					2 p. m.
ROOM 22—						
Enrolled Bills						
Judiciary		3 p. m.	3 p. m.	3 p. m.	3 p. m.	
Constitutional Amendments	3 p. m.			3 p. m.		
ROOM 23—						
Schools		2 p. m.	2 p. m.		2 p. m.	
Cities and Towns	3 p. m.	2 p. m.		2 p. m.		
Railroads			3 p. m.		3 p. m.	
ROOM 24—						
Ways and Means	2 p. m.		2 p. m.		2 p. m.	
Appropriations		2 p. m.		2 p. m.		2 p. m.
Rules			4 p. m.			
ROOM 25—						
Secretary and Journal Clerks						
ROOM 26—						
Public Lands						
Public Buildings						
Engrossed Bills						
ROOM 28—						
Agricultural			1:30 p. m.		3 p. m.	
Insurance		9 a. m.		9 a. m.		4 p. m.
Penitentiaries and Pardon	3 p. m.			3 p. m.		
ROOM 29—						
Compensat'n of Pub. Officers	3 p. m.			3 p. m.		
Elections		4 p. m.				2 p. m.
Printing		2 p. m.		2 p. m.		
Democratic Senators						

JAMES ELERICK,
D. W. TURNER,
JAS. H. JAMISON,
F. L. MAYTAG.

Senator Dowell moved that the Committee on Rules of the Senate be instructed to confer with the like committee of the House to submit rules for joint assembly.

Carried.

Mrs. Freda A. McCausland and Miss Della Rundlett appeared before the bar of the Senate and were duly sworn as clerks for Senators McManus and Frudden respectively.

William Hammer who had been appointed messenger, having declined the position, President Garst appointed Cleveland Foster to fill vacancy and he was duly sworn.

Senator Jamison of Clark asked unanimous consent to call up House substituted concurrent resolution relative to additional employes and moved the Senate concur in the resolution.

Carried.

The time having arrived for the recess voted yesterday, the President appointed Senators Dowell and Frudden as a committee to escort Mr. Harvey Ingham of the Boosters' Club to the desk.

The President then presented Mr. Harvey Ingham who addressed the Senate.

The President announced the Senate would resume regular session.

INTRODUCTION OF BILLS.

By Senator Ericson, Senate File No. 6, a bill for an act providing for the erection of a Governor's Mansion and making an appropriation therefor.

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

Senator Hughes moved that when the Senate adjourn it be until 11:00 o'clock a. m., Monday.

Carried.

The 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, Monday, January 21, 1907.

Senate met in regular session at 11:00 o'clock a. m. President Garst presiding.

Prayer was offered by the Rev. T. W. Evans of Colfax, Iowa.

Senator Dunham of the Thirty-third Senatorial District appeared before the bar of the Senate and was duly sworn.

Floyd O. Smith appeared before the bar of the Senate and was duly sworn as clerk for the Committee on Suppression of Intemperance.

On request of Senator Wilson of Fayette leave of absence was granted Senator Ericson until tomorrow.

On request of Senator Eckles leave of absence was granted Senator Kinne until tomorrow.

On request of Senator Newberry leave of absence was granted Senator McKlveen until tomorrow.

On request of Senator Whipple leave of absence was granted Senator Stuckslager until tomorrow.

On request of Senator Whipple leave of absence was granted Senator Stookey until tomorrow.

On request of Senator Allen leave of absence was granted Senator Moon until tomorrow.

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

On request of Senator Maytag leave of absence was granted Senator Mattes until tomorrow.

On request of Senator Gilliland leave of absence was granted Senator Jamison of Clarke until tomorrow.

INTRODUCTION OF BILLS.

By Senator DeWolf, Senate File No. 7, a bill for an act making appropriations for the State Normal School.

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

By Senator Smith of Des Moines, Senate File No. 8, a bill for an act to amend an act of the Thirtieth General Assembly entitled "An act to promote the Public Health, Convenience and Welfare, by Levying, Ditching and Draining the Lands of the State and providing for the Establishment of Levees, Drainage Districts, or for the Changing of Natural Water Courses to secure better drainage, and Providing for the Construction of Ditches, Drains and Water Courses and prescribing the method for so doing, and providing for the Assessment and Collection of costs and expenses of the same, and issuing Improvement Certificates, or Issuing and Selling Bonds therefore." Additional to Title X (10), Chapter Two (2), of the Code and Code Supplement.

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

By Senator Allen, Senate File No. 9, a bill for an act entitled "An act to confirm the title of T. C. Lovrein in a strip of Land on Section Fifteen (15), Township Ninety-three (93) North, Range Thirty-four (34) west of the Fifth Principal Meridian lying between the true south boundary line and the meandered south boundary line of Rat Lake in said section; and authorizing the Executive Council to Quit Claim said strip to him."

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

By Senator Frudden, Senate File No. 10, a bill for an act to amend the law as it appears in Section One Thousand Three Hundred Thirty-three (1333) D, of the Supplement to the Code.

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

By Senator Gilliland, Senate File No. 11, a bill for an act to amend Section Two Thousand One Hundred Thirteen (2113) of the Code relating to the powers and duties of the Railroad Commissioners.

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

The Journal of Saturday was taken up corrected and approved. Senator Smith of Mitchell from the Committee on Retrenchment and Reform submitted the following report:

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

Your Committee on Retrenchment and Reform to whom was referred concurrent resolution relating to the subject of additional employes of the Thirty-second General Assembly beg leave to report that they have had the subject under consideration and the Committee have instructed us to introduce a joint resolution covering their recommendations, which is herewith submitted with the recommendation that the same do pass.

Respectfully submitted,

JAS. A. SMITH,
C. C. DOWELL,
F. L. MAYTAG,
E. W. WEEKS,
F. F. JONES.

Adopted.

INTRODUCTION OF BILLS.

By Senator Smith, Senate Joint Resolution No. 1.

Joint Resolution Relating to the Selection of Additional Employes of the Thirty-second General Assembly, Fixing Their Compensation and Defining Their Duties:

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

SECTION 1. The Custodian is hereby authorized and directed to appoint eight persons to be designated as assistants to the Custodian, whose duties shall be by him determined, and whose salaries shall be sixty dollars per month each.

SEC. 2. The Secretary of State is hereby authorized and directed to appoint two clerks for service in the Document Room at a salary of sixty dollars per month each.

SEC. 3. The Secretary of the Executive Council is hereby authorized and directed to appoint a clerk for service in the Supply Department at a salary of sixty dollars per month.

SEC. 4. The Custodian is hereby authorized and directed to appoint three experienced elevator tenders at a salary of sixty dollars per month each.

SEC. 5. W. W. Hyzer of Guthrie county is hereby appointed mail carrier and W. J. Jones of Monroe county is hereby appointed assistant mail carrier.

SEC. 6. The Secretary of the Senate and Chief Clerk of the House are hereby directed to prepare a pay-roll for all employes appointed under this resolution, the same to be countersigned by the President of the Senate and Speaker of the House and presented to the Auditor of State.

SEC. 7. The Secretary of State is hereby authorized to retain as many clerks, hereby 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-second General Assembly.

Read first and second time.

Senator Smith of Mitchell moved that the rules be suspended and the Joint Resolution be read a third time now, which motion prevailed.

And the Joint Resolution was read a third time.

On the question, shall the Joint Resolution pass?

The yeas were:

Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Lambert, McManus, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Taylor, Turner, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Ericson, Gale, Jamison of Clarke, Jones, Kinne, McKlveen, Mattes, Moon, Stookey, Stuckslager, Wade, Warren, Young—13.

So the Joint Resolution 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. 2. A bill for an act to amend the law which appears as Chapter 56, Acts of the Thirtieth General Assembly, relating to examination of insurance companies.

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 joint committees to visit the several State institutions.

C. R. BENEDICT,
Chief Clerk.

Senator Turner moved that the Senate do now adjourn until 11:00 o'clock a. m. tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, January 22, 1907.

Senate met in regular session at 11 o'clock a. m., President Garst presiding.

Prayer was offered by the Rev. Edward T. Hagerman of Des Moines, Iowa.

Owen Stookey having resigned as clerk for the Committee on Insurance, C. S. Byrkit was appointed to fill the vacancy.

The following clerks appeared before the bar of the Senate and were duly sworn in:

C. S. Byrkit, Committee on Insurance.

Katherine Baker, Committee on Enrolled Bills.

Rose Wood, Committee on Building and Loan.

Mary LaFollette, Committee on Penitentiaries and Pardons.

On request of Senator Gilliland leave of absence was granted Senator Gale until tomorrow.

PETITIONS AND MEMORIALS.

Senator Eckles presented petition of 249 residents of Marshall county asking the passage of a bill reducing railroad passenger rates to 2 cents for persons over 12 years of age and 1½ cents for persons between the ages of 5 and 12 years.

Referred to Committee on Railroads.

Senator Turner presented petition of the Women's Christian Temperance Union of Bedford, Iowa, asking an appropriation for the Benedict Home of Des Moines.

Referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Jamison of Clarke, Senate File No. 12, a bill for an act to provide a method whereby assessment life associations may be reincorporated as legal reserve life insurance companies.

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

By Senator Jamison of Clarke, Senate File No. 13, 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 Jamison of Clarke, Senate File No. 14, a bill for an act relating to fraternal beneficiary societies.

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

By Senator Jamison of Clarke, Senate File No. 15, a bill for an act to establish an insurance department and providing for an insurance commissioner.

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

By Senator Jamison of Clarke, Senate File No. 16, a bill for an act amending Section 1794 of the Code, relative to fraternal accident associations.

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

By Senator Young, Senate File No. 17, a bill for an act to regulate the transportation of dead bodies and the practice of

embalming, and to provide for examination and license of embalmers, and to provide penalties for violation.

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

By Senator Newberry, Senate File No. 18, a bill for an act regulating the sale of agricultural seeds, concentrated commercial feeding-stuffs and the materials from which they are manufactured; defining concentrated commercial feeding-stuffs and what shall constitute purity in various kinds of seeds; prohibiting the adulteration and providing for the correct weighing and marking of agricultural seeds and concentrated commercial feeding-stuffs, and providing for the collection of samples, analyses of the same, and fixing penalties for its violation; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.

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

By Senator Newberry, Senate File No. 19, a bill for an act requiring manufacturers and dealers to label white lead, paints, mixed paints, varnishes, fillers, stains and similar compounds, and linseed oil; defining linseed oil and boiled linseed oil, and fixing penalties for its violation; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.

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

By Senator Bleakly, Senate File No. 20, a bill for an act to repeal Chapter 5 of Title X of the Code and enact a substitute therefor.

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

By Senator Bleakly, Senate File No. 21, a bill for an act regulating disbursements of insurance companies.

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

By Senator Bleakly, Senate File No. 22, a bill for an act to provide for the investment of the funds of fraternal beneficiary societies, orders or associations.

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

By Senator Bleakly, Senate File No. 23, a bill for an act relating to rates of fraternal beneficiary societies.

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

By Senator Seeley, Senate File No. 24, a bill for an act to legalize acts of the city council of Mt. Pleasant, Iowa, relative to the payment of its councilmen and appropriating money from its treasury for the sufferers from earthquake at San Francisco, California.

WHEREAS, The city council of Mt. Pleasant, Iowa, did, on the 5th day of February, 1866, pass an ordinance containing eight sections known as Article No. 1 of Ordinance No. 3, of the Revised Ordinances of 1883, the 8th section of which reads as follows:

SEC. 8. The councilmen or trustees shall each receive as compensation for his services one dollar for each regular or special meeting of the council he may attend as provided by law, and also such reasonable sum as may be allowed by the council for extra services on committees or otherwise in behalf of the city."

And

WHEREAS, The various city councils of said city since said date, acting in good faith have allowed and the city has paid to each member the sum of fifty dollars in full compensation for each year. And,

WHEREAS, Many of the members receiving such payments are now dead, and many others have moved to other states, and many others still are among the most respected and respectable citizens of said city. And,

WHEREAS, On the 21st day of April, 1906, the city council of said city did appropriate from the treasury of said city for the relief of the sufferers from the earthquake at San Francisco, California, the sum of Seventy-five Dollars in good faith, believing it had authority to do so. And,

WHEREAS, All the acts of said council above enumerated have been published along with the other proceedings of the council as required by law at or about the dates thereof. And,

WHEREAS, Doubts have arisen as to the legality of said acts of said city council as above enumerated, and controversies are likely to arise between the officers of said city in or between the officers and citizens

in said city in regard thereto, and to the end that any and all controversy over said matters may be terminated.

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

By Senator Frudden, Senate File No. 25, a bill for an act to repeal Section 3 of Chapter 101 of the Laws of the Thirtieth General Assembly and Sections 1 and 2 of Chapter 113 of the Laws of the Thirty-first General Assembly relative to establishing and maintaining a State Board of Health laboratory at Iowa City, and enacting in lieu thereof the following:

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

By Senator Ericson, Senate File No. 26, a bill for an act making an additional appropriation for the care and permanent preservation of the public archives, additional to the law as it appears in Chapter 142, Laws of the Thirty-first General Assembly.

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

By Senator Allen, Senate File No. 27, a bill for an act to amend Section 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 Allen, Senate File No. 28, a bill for an act to amend the law as it appears in Section 469, Title IV, Chapter 1, of the Code relating to the compensation of supervisors.

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

By Senator Stookey, Senate File No. 29, a bill for an act to legalize the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the city council of Leon, Iowa, and legalizing all the acts, proceedings and resolutions adopted or passed by the said city council in changing from the incorporated town of Leon, Iowa, to the incorporated city of Leon, Decatur

county, Iowa, legalizing all of the aforesaid proceedings as fully and effectually as if the law in every particular had been complied with in the passage of all said acts, proceedings and resolutions and publication thereof, if same had in any respect been omitted or neglected, and legalizing all the acts of the officials acting under said acts, ordinances, proceedings and resolutions.

WHEREAS, Doubts have arisen as to the legality of all the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the city council of Leon, Iowa, and the acts and elections of the incorporated city of Leon, Decatur county, Iowa, and doubts have also arisen in reference to the legality of all the acts and elections of the incorporated city of Leon, Iowa, itself, and doubts having arisen in reference to the legality of the acts of the city officials of the City of Leon, Iowa, acting as such officials; and

WHEREAS, Doubts have also arisen in regard to the legality of the acts, proceedings, resolutions, and ordinances adopted in regard to changing from the incorporated town of Leon, Iowa, to the City of Leon, Iowa; and

WHEREAS, The ordinances were not republished as readopted by the city council of Leon, Iowa, after its organization as a city of the second class; and,

WHEREAS, Doubts have arisen as to the legality of the adoption of the ordinances of the town of Leon, Iowa, by the city of Leon, Iowa; and,

WHEREAS, Certain supposed defects in the publication of certain ordinances adopted by the city council of Leon, Iowa, have arisen in regard to wrong numbering; and,

WHEREAS, Doubts have arisen in regard to the acts, resolutions and ordinances adopted by the city council of Leon, Iowa, dividing the said city into wards in changing from the incorporated town of Leon, Iowa, to a city of the second class.

By Senator Saunders, Senate File No. 30, 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 offices therefor, defining their powers and duties, and to fix their compensation, and appropriating 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.

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.

Be it Resolved, by the House, the Senate concurring, That a joint convention be held in the House on Wednesday, January 23d, 1907, at 12 o'clock.

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. 1.

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

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

House File No. 2, a bill for an act to amend the law which appears as Chapter 56, Acts of the Thirtieth General Assembly, relating to examination of insurance companies.

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

Senate concurrent resolution relative to the appointment of joint committees to visit the several State institutions.

Passed on file.

Senate joint resolution No. 1, joint resolution relating to the selection of additional employes of the Thirty-second General Assembly, fixing their compensation and defining their duties.

Passed on file.

HOUSE CONCURRENT RESOLUTION.

Be it Resolved by the House, the Senate concurring, That a joint convention be held in the House on Wednesday, January 23d, 1907, at 12 o'clock.

Passed on file.

Senator Bleakly moved that the Senate now proceed to the election of a United States Senator for the term beginning March 4th, 1907.

Carried.

Senator Ericson nominated Jonathan P. Dolliver as Senator in Congress for the term commencing March 4th, 1907.

The nomination was seconded by Senators Jackson, Young and Crossley.

Senator Moon nominated Claude R. Porter as Senator in Congress for the term commencing March 4th, 1907.

The nomination was seconded by Senator Stirton.

Those voting for Jonathan P. Dolliver were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, McKlveen, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Young—35.

Those voting for Claude R. Porter were:

Senators DeArmand, DeWolf, Foley, Frudden, Jamieson of Page, Lambert, McManus, Moon, Smith of Des Moines, Stirton, Taylor, Wade, Whiting, Wilson of Clinton—14.

President Garst then declared Jonathan P. Dolliver, having received a majority of all the votes cast, and also a majority of the entire membership of this body, is elected on the part of the Senate, Senator in Congress for the term beginning March 4th, 1907.

The President announced that he had appointed as Visiting Committees to State institutions on the part of the Senate the following:

Soldiers' Home, Marshalltown, Senator Ericson, Senator Hughes.

Soldiers' Orphans' Home, Davenport, Senator Wilson of Clinton, Senator Jamieson of Page.

College for the Blind, Vinton, Senator Foley, Senator Jones.

School for the Deaf, Council Bluffs, Senator Stookey, Senator Warren.

Institution for Feeble Minded Children, Glenwood, Senator Maytag, Senator Eckles.

Industrial School for Boys, Eldora, Senator Seeley, Senator Frudden.

Industrial School for Girls, Mitchellville, Senator Clark, Senator Elerick.

Mt. Pleasant State Hospital, Mt. Pleasant—Senator Stuckslager, Senator Jackson.

Clarinda State Hospital, Clarinda—Senator Bleakly, Senator Moon.

Independence State Hospital, Independence, Senator Hopkins, Senator Mattes.

Cherokee State Hospital, Cherokee, Senator Kinne, Senator Kimmel.

State Hospital for Inebriates, Knoxville, Senator McKlveen, Senator Taylor.

Penitentiary at Ft. Madison, Ft. Madison, Senator Young, Senator Smith of Des Moines.

Penitentiary at Anamosa, Anamosa, Senator Turner, Senator Lambert.

Agricultural College, Ames, Senator Saunders, Senator Stirton.

Normal School, Cedar Falls, Senator Wilson of Fayette, Senator Gilliland.

State University, Iowa City, Senator Newberry, Senator McManus.

Senator Crossley moved that the Senate now take up and consider the House concurrent resolution relative to a joint convention to be held in the House chamber on Wednesday, January 23d, 1907.

Carried.

Senator Crossley moved that the Senate concur in the resolution.

The motion prevailed and the resolution was concurred in.

Senator Jamieson of Page announced that Senator McIntyre, a member of this body thirty-five years ago, was present, and asked unanimous consent that he be invited to address the Senate, which on motion was granted.

The President then introduced Senator McIntyre, who addressed the Senate.

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

Senator Newberry moved that the Senate do now adjourn until 11 o'clock a. m. tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, January 23d, 1907.

Senate met in regular session at 11:00 o'clock a. m., President Garst presiding.

Prayer was offered by the Rev. Eugene W. F. ReQua of Winterset, Iowa.

Chas. E. Boyle, Clerk for Committee on Federal Relation, Mary A. Reid, Clerk for the Committee on Manufactures, and Geo. B. Elliott, Clerk for Senator DeWolf, appeared before the bar of the Senate and were sworn.

On request of Senator Lambert, leave of absence was granted Senator Burgess for the day.

On request of Senator Newberry, leave of absence was granted Senator Gale for the day.

On request of Senator Dunham, leave of absence was granted Senator Jamieson of Page for the day.

Senator Bleakly requested that he be excused for the balance of the day, which request was granted.

Senator Clarke requested that he be excused for the balance of the day, which request was granted.

PETITIONS AND MEMORIALS.

Senator Whipple presented petition of thirty-one (31) druggists of Linn and Benton counties asking a law to prohibit the sale of drugs, medicines or poisons by others than registered pharmacists.

Referred to Committee on Pharmacy.

Senator Whipple presented petition of Post No. 89, Grand Army of the Republic, of Vinton, Iowa, asking a law to prohibit all games and sports on Memorial Day.

Referred to Committee on Judiciary.

Senator Mattes presented petition of members of the Iowa Soldiers' Home, asking an appropriation for that institution of the amount asked by the Commandant of the Home.

Referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Newberry, Senate File No. 31, a bill for an act to prevent the adulteration, misbranding and imitation of drugs; and repealing sections four thousand nine hundred and eighty-three (4983), four thousand nine hundred and eighty-five (4985), four thousand nine hundred and eighty-six (4986) and four thousand nine hundred and eighty-eight (4988) of the Code; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.

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

By Senator Newberry, Senate File No. 32, a bill for an act making appropriation for the purchase of twenty thousand (20,000) 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.

By Senator McKlveen, Senate File No. 33, a bill for an act to safeguard the public health by regulating the manufacture and sale of "patent" and "proprietary" medicines and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.

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

By Senator Crossley, Senate File No. 34, a bill for an act relating to road tax and amending section one thousand five hundred and twenty-eight (1528) of the Code and Supplement to the Code.

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

By Senator Stirton, Senate File No. 35, a bill for an act limiting the commencement of actions for the recovery of real estate.

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

By Senator Moon, by request, Senate File No. 36, a bill for an act to amend chapter fifteen-A (15-A) of the Supplement to the Code.

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

REPORT OF COMMITTEE.

Senator Peterson of the Joint Committee on Rules submitted the following report, and moved its adoption :

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

The Committee on Rules of the Senate and House met in joint session to consider Joint Rules for the government of the Thirty-second General Assembly and beg leave to submit the following report:

We recommend that the Joint Rules of the Thirty-first General Assembly be adopted as the Joint Rules for the Thirty-second General Assembly of the State of Iowa.

C. F. PETERSON,
Chairman of Senate Committee.
TIM C. CLARY,
Chairman of House Committee.

Adopted.

Senator Whipple, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. Two (2), a bill for an act "To amend the law which appears as Chapter Fifty-six (56), Acts of the Thirtieth General Assembly, relating to Examination of Insurance Companies," beg leave to report

that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

W. P. WHIPPLE,
Chairman.

THIRD READING OF BILLS.

On motion of Senator Jamison of Clarke, House File No. 2, a bill for an act to amend the law which appears as chapter fifty-six (56), Acts of the Thirtieth General Assembly, relating to examination of insurance companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bruce moved that further consideration of this bill be postponed until next Tuesday morning at 10:00 o'clock.

The motion was lost.

Senator Jamison of Clarke moved that the rule be suspended, and that reading just had be considered its third reading, which motion prevailed.

On the question, " Shall the bill pass?"

The yeas were:

Senators Bleakly, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette—41.

The nays were:

Senators Allen, Bruce, Young—3.

Absent or not voting:

Senators Burgess, Gale, Jamieson of Page, Jones, Nichols, Wilson of Clinton—6.

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

At request of Senator Dunham, his name was removed from the Visiting Committee to the State Institution at Clarinda, and the name of Senator Moon inserted.

On request of Senator Crossley, leave of absence was granted Senator Wilson of Clinton for the day.

On request of Senator Stookey, leave of absence was granted Senator Smith of Mitchell for the day.

At the request of Senator Crossley, leave of absence was granted Senator Nichols for the day.

On request of Senator Allen, leave of absence was granted Senator Moon for the day.

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

Senator Young moved that the Senate take a recess until 11:55 a. m.

Carried.

Senate stood at ease.

The Senate resumed session.

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

The hour having arrived for joint convention, the President announced the Senate would proceed 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 Garst, President of the joint convention, at 12:00 o'clock, noon.

The roll was then called and the following Senators and Representatives responded as present:

Allen, Allred, Anderson, Arney, Baird, Bascom, Beery, Bergeson, Bixby, Blackmore, Bonwell, Brandes, Bruce, Calkins, Cassidy, Clarke of Jefferson, Clary, Conn, Corrie, Cottrell, Crossley, Darrah, DeArmand, DeMar, Dewell, DeWolf, Dodds, Doran, Dow, Dowell, Drury, Dunham, Dunn, Dye of Decatur, Dye of Pottawattamie, Eckles, Elerick, Elliott, Ericson, Feay, Feely, Felt, Fenn, Flugum, Foley, Frudden, Gilliland, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Heles, Hickey, Holmes, Hopkins, Hughes, Hume, Inman, Jackson, Jamison of Clarke, Jones of Mahaska, Jones of Montgomery, Kelley, Kellogg, Kendall of Clinton, Kendall of Monroe, Kimmel, Kinne, Koontz, Kull, Lambert, Lee, Lister, Lowrey, McDonald, McElrath, McKlveen, McManus, Maben, Mann, Marston, Mason, Mattes, Maytag, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moore, Morris, Newberry, Nix, Offill, Paul, Peterson, Pierce, Reaney, Reitz, Ritter, Saunders, Schoenberger, Schroeder, Schulte, Seeley, Shaffer, Sheldon, Sidey, Smith of Des Moines, Sparks, Springer, Stewart, Stillman, Stirton, Stoltenberg, Stookey, Stuckslager, Sullivan, Swan, Swift, Taylor, Teeter, Turner, VanHouten, Wade, Warren, Webster, Weeks, Welden, Whipple, White, Whiting, Wilson of Fayette, Wilson of Tama, Youde, Young—137.

Absent or not voting:

Balluff, Beery, Bleakly, Burgess, Clark of Poweshiek, Earle, Fox, Gale, Geneva, Greenwood, Harvey, Jamieson of Page, Jewell, McAllister, Nichols, Price, Smith of Mitchell, Smith of Wright, Wilson of Clinton, Wolfe—21.

President Garst announced the joint convention duly organized, with a quorum of members present.

The Secretary of the Senate then proceeded to read that part of the Journal of the Senate for Tuesday, January 22, 1907, pertaining to the vote for United States Senator in Congress.

The Chief Clerk of the House then proceeded to read that part of the Journal of the House for Tuesday, January 22, 1907, pertaining to the vote for United State Senator in Congress.

From the reading of the Journals, it appeared that on Tuesday, January 22, 1907, the Senate and House of Representatives balloted

separately for United States Senator in Congress, with the following result:

IN THE SENATE.

Jonathan P. Dolliver received.....	35
Claude R. Porter received	14
Absent or not voting	1

IN THE HOUSE.

Jonathan P. Dolliver received.....	75
Claude R. Porter received.....	31
Absent or not voting	2

Senator Saunders of Pottawattamie moved that the joint convention now proceed to the election of a United States Senator in Congress, for the term commencing March 4, 1907.

Motion prevailed.

Roll call was ordered.

Those voting for Jonathan P. Dolliver were:

Allen, Allred, Anderson, Arney, Bascom, Beery, Bergeson, Bixby, Blackmore, Bonwell, Brandes, Bruce, Burgess, Cassady, Conn, Corrie, Crossley, Darrah, Dewell, Doran, Dow, Dowell, Drury, Dunham, Dunn, Dye of Decatur, Dye of Pottawattamie, Eckles, Elerick, Elliott, Ericson, Feely, Felt, Fenn, Flugum, Geneva, Gilliland, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Hickey, Holmes, Hopkins, Hughes, Hume, Inman, Jackson, Jamison of Clarke, Jones of Mahaska, Jones of Montgomery, Kelley, Kellogg, Kendall of Monroe, Kimmel, Kinne, Lee, Lister, Lowrey, McElrath, McKlveen, Maben, Mann, Marston, Mason, Mattes, Maytag, Mercer, Meredith, Moore, Morris, Newberry, Nix, Offill, Paul, Peterson, Reaney, Saunders, Seeley, Shaffer, Sheldon, Stillman, Stoltenberg, Stookey, Stuckslager, Sullivan, Swan, Teter, Turner, VanHouten, Warren, Webster, Weeks, Welden, Whipple, White, Wilson of Clinton, Wilson of Fayette, Wilson of Tama, Youde, Young—104.

Those voting for Claude R. Porter were:

Baird, Calkins, Clarke of Jefferson, Clary, Cottrell, DeArmand, DeMar, DeWolf, Dodds, Feay, Foley, Frudden, Heles, Kendall of

Clinton, Koontz, Kull, Lambert, McDonald, McManus, Miller of Bremer, Miller of Dubuque, Pierce, Reitz, Ritter, Schoenenberger, Schroeder, Schulte, Smith of Des Moines, Sparks, Springer, Stewart, Stirton, Swift Taylor, Wade, Whiting—36.

Absent or not voting:

Balluff, Bleakly, Bauman, Clarke of Poweshiek, Earle, Gale, Geneva, Greenwood, Jamieson of Page, Jewell, McAllister, Moon, Nichols, Sidey, Smith of Mitchell, Smith of Wright, Wilson of Clinton, Wolfe—18.

It thus being shown that Hon. Jonathan P. Dolliver received a majority of all votes cast in the Senate on Tuesday, January 22, 1907, a majority of all votes cast in the House on Tuesday, January 22, 1907, and a majority of all votes cast in the joint convention on Wednesday, January 23, 1907, President Garst declared Hon. Jonathan P. Dolliver duly elected as United State Senator in Congress for the term of six years, beginning March 4, 1907.

The following certificate of election was signed and read in the presence of the joint convention:

STATE OF IOWA,
HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, January 23, A. D. 1907.

This is to certify that at a meeting of the two Houses of the General Assembly of the State of Iowa in joint assembly held on Wednesday, the twenty-third day of January, A. D., 1907, at noon, a majority of all the members being present, it was found upon examination of the journals of the Houses that upon the day before, the same being the second Tuesday after the meeting and organization of the General Assembly, each House had by roll call of the members present named Jonathan P. Dolliver for Senator in Congress for the State of Iowa for the term commencing on the fourth day of March, A. D. 1907; and the same person, to wit: Jonathan P. Dolliver, had received a majority of all the votes in each House. Whereupon said joint assembly formally declared said Jonathan P. Dolliver, of Ft. Dodge, Webster county, Iowa, duly elected Senator to represent the State of Iowa in the Congress of the United States for the term of six years beginning on the fourth day of March, A. D. 1907.

WARREN GARST,
President of Senate and Joint Assembly.
N. E. KENDALL,
Speaker of the House.

GEO. A. NEWMAN,
Secretary of Senate.
C. R. BENEDICT,
Clerk of House of Representatives.

Senator Jackson moved that the joint convention now proceed to the election of a State binder, State printer, and editor of the Code Supplement.

Senator Saunders moved to amend the motion by incorporating therein a provision for the selection of a member of the State University board of regents from the First district to fill a vacancy caused by the resignation of Judge W. I. Babb.

Representative VanHouten moved as a substitute for the pending motions that the joint convention proceed to the election of a State printer and State binder.

Substitute lost.

Amendment offered by Senator Saunders adopted.

Original motion, as amended, adopted.

Senator Dowell presented the following resolution, and moved its adoption:

Resolved, by the Joint Convention of the Thirty-second General Assembly, That E. D. Chassell be and is hereby elected State Binder for the term beginning January 1, 1909, and that Emory H. English be and is hereby elected State Printer for the term beginning January 1, 1909.

Roll call ordered on the resolution.

On the question, " Shall the resolution be adopted?"

The yeas were:

Allen, Anderson, Bascom, Beery, Bergeson, Bixby, Blackmore, Bonwell, Brandes, Bruce, Calkins, Cassidy, Clary, Conn, Corrie, Crossley, Darrah, Dewell, Doran, Dow, Dowell, Drury, Dunham, Dunn, Dye of Decatur, Dye of Pottawattamie, Eckles, Elerick, Ericson, Feay, Feely, Felt, Fenn, Flugum, Foley, Gilliland, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Hickey, Holmes, Hopkins, Hughes, Hume, Inman, Jackson, Jamison of Clarke, Jones of Mahaska, Jones of Montgomery, Kelley, Kellogg, Kendall of Clinton, Kendall of Monroe, Kimmel, Kinne, Koontz, Lee, Lister, Lowrey, McElrath, McKlveen, Maben, Mann, Marston, Mason, Mattes, Maytag, Mercer, Meredith, Miller of Dubuque, Morris, Newberry, Nix, Paul, Peterson, Pierce, Reaney,

Ritter, Saunders, Seeley, Shaffer, Sheldon, Springer, Stillman, Stir-
con, Stoltenberg, Stookey, Stuckslager, Sullivan, Swan, Teter, Tur-
ner, VanHouten, Wade, Warren, Webster, Weeks, Welden,
Whipple, White, Whiting, Wilson of Clinton, Wilson of Fayette,
Wilson of Tama, Youde, Young—111.

Nays were none.

So the resolution was declared adopted.

President Garst announced that Emory H. English, having re-
ceived a majority of all the votes cast and a ma-
jority of all the votes of the joint convention, was
declared duly elected State printer; and E. D. Chassell, having
received a majority of all the votes in the joint convention, was
declared duly elected State binder.

The following certificates of election were then signed and read
in the presence of the joint convention :

STATE OF IOWA,
HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, January 23, A. D. 1907.

This is to certify that at an election by the two Houses of the Thirty-
second General Assembly of the State of Iowa in joint convention on the
twenty-third day of January, A. D. 1907, for the purpose of electing a
State Binder, E. D. Chassell, of Le Mars, Plymouth county, Iowa, having
received a majority of all the votes cast for said office, was duly elected
State Binder for the term of two years and after the expiration of the
term of the present incumbent and until his successor is elected and
qualified.

Signed in the presence of the joint convention, this twenty-third day
of January, A. D. 1907.

WARREN GARST,
President of the Senate and Joint Convention.
N. E. KENDALL,
Speaker of the House.

GEO. A. NEWMAN,
Secretary of Senate.

C. R. BENEDICT,
Clerk of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES.
STATE OF IOWA,

DES MOINES, January 23, A. D. 1907.

This is to certify that at an election by the two Houses of the Thirty-
second General Assembly of the State of Iowa in joint convention on the

twenty-third day of January, A. D. 1907, for the purpose of electing a State Printer, Emory H. English, of Mason City, Cerro Gordo county, Iowa, 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 twenty-third day of January, A. D. 1907.

WARREN GARST,
President of the Senate and Joint Convention.

N. E. KENDALL,
Speaker of the House.

GEO. A. NEWMAN,
Secretary of Senate.

C. R. BENEDICT,
Clerk of House of Representatives.

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

Resolved, by the Joint Convention of the Thirty-second General Assembly, That C. N. Jepson, of Woodbury county, be and is hereby elected editor of the Code Supplement; and that Hon. John J. Seerley, of Des Moines county be and is hereby elected Regent for the State University from the First Congressional District to fill the vacancy caused by the resignation of Hon. W. I. Babb, for the term which expires May 1, 1912.

Roll call ordered.

On the question, " Shall the resolution be adopted?"

The yeas were:

Allen, Anderson, Arney, Baird, Bascom, Beery, Bergeson, Bixby, Blackmore, Bonwell, Brandes, Bruce, Calkins, Cassady, Clarke of Jefferson, Clary, Conn, Corrie, Darrah, DeArmand, Dewell, DeWolf, Dodds, Doran, Dow, Dowell, Drury, Dunham, Dunn, Dye of Decatur, Dye of Pottawattamie, Eckles, Elerick, Ericson, Feely, Felt, Flugum, Frudden, Gillilland, Grier, Haekler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Holmes, Hopkins, Hughes, Hume, Inman, Jackson, Jamison of Clarke, Jones of Mahaska, Jones of Montgomery, Kelley, Kellogg, Kendall of Clinton, Kendall of Monroe, Kimmel, Kinne, Koontz, Kull, Lee, Lister, Lowrey, McElrath, McKlveen, McManus, Maben, Mann, Marston, Mason, Mattes, Maytag, Mercer, Meredith, Miller of Dubuque, Morris, Newberry, Nix, Ofill, Paul, Peterson, Pierce,

Price, Reaney, Reitz, Ritter, Saunders, Schroeder, Schulte, Seeley, Shaffer, Sheldon, Smith of Des Moines, Springer, Stillman, Stirton, Stoltenberg, Stookey, Stuckslager, Sullivan, Swan, Swift, Taylor, Teter, Turner, Van Houten, Wade, Warren, Webster, Weeks, Welden, Whipple, Whiting, White, Wilson of Clinton, Wilson of Fayette, Wilson of Tama, Youde, Young—123.

Nays were none.

President Garst declared that C. N. Jepson, having received a majority of all the votes cast and a majority of all the votes of the joint convention, was duly elected as editor of the Code Supplement; and that Hon. John J. Seerley, having received a majority of all votes cast and a majority of all votes of the joint convention, was duly elected as member of the State University board of regents from the First district.

The following certificates of election were then signed and read in the presence of the joint convention:

STATE OF IOWA.

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, January 23, A. D. 1907.

This is to certify that at an election by the two Houses of the Thirty-second General Assembly of the State of Iowa in joint convention on the twenty-third day of January, A. D. 1907, for the purpose of electing Editor of Code Supplement, C. N. Jepson, of Sioux City, Woodbury county, Iowa, having received a majority of all the votes cast for said office, was declared duly elected as Editor of the Code Supplement.

Signed in the presence of the joint convention, this twenty-third day of January, A. D. 1907.

WARREN GARST,

President of the Senate.

N. E. KENDALL,

Speaker of the House of Representatives.

GEO. A. NEWMAN,

Secretary of Senate.

C. R. BENEDICT,

Chief Clerk of the House.

STATE OF IOWA,

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, January 23, A. D. 1907.

This is to certify that at an election by the two Houses of the Thirty-second General Assembly of the State of Iowa in joint convention on the twenty-third day of January, A. D. 1907, for the purpose of electing the officers of the various State institutions, John J. Seerley, of Burlington,

Des Moines county, Iowa, having received a majority of all the votes cast for said office, was declared duly elected as Regent of the State University, to fill vacancy, for the term ending May 1st, 1912, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of January, A. D. 1907.

WARREN GARST,
President of the Senate.

N. E. KENDALL,
Speaker of the House of Representatives.

GEO. A. NEWMAN,

Secretary of the Senate.

C. R. BENEDICT,

Chief Clerk of the House.

Senator Saunders moved that a committee of one from the Senate and two from the House be appointed to notify Hon. Jonathan P. Dolliver of his election by the joint convention and to invite him to appear before the convention.

Motion prevailed.

President Garst appointed as such committee: Senator Saunders and Representatives Bergeson and Schulte.

Senator Allen presented the following resolution, and moved its adoption:

Resolved, That the Joint Convention of the Senate and House do now proceed to the election of a Regent of the State University from the Tenth Congressional District to succeed J. H. Allen, and that E. K. Winne, of Humboldt, be elected to said position.

Motion prevailed to proceed to election of regent from the Tenth district.

Roll call ordered on the question of the election of E. K. Winne.

On the question, " Shall E. K. Winne be elected as regent from the Tenth district?"

The yeas were:

Allen, Anderson, Arney, Baird, Balluff, Bascom, Beery, Bixby, Brandes, Bruce, Calkins, Cassady, Clarke of Jefferson, Clary, Conn, Corrie, Darrah, DeArmand, DeMar, Dewell, DeWolf, Dodds, Doran, Dow, Dowell, Drury, Dunham, Dunn, Dye of

Decatur, Dye of Pottawattamie, Eckles, Elerick, Ericson, Feely, Fenn, Flugum, Foley, Gilliland, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Hickey, Holmes, Hopkins, Hughes, Hume, Inman, Jackson, Jones of Montgomery, Kelley, Kendall of Clinton, Kendall of Monroe, Kinne, Koontz, Kull, Lee, Lowrey, McElrath, McKlveen, McManus, Maben, Marston, Mattes, Maytag, Mercer, Meredith, Miller of Bremer, Miller of Dubuque, Moore, Morris, Newberry, Nix, Offill, Paul, Peterson, Pierce, Reaney, Reitz, Ritter, Schroeder, Seeley, Shaffer, Sheldon, Smith of Des Moines, Stillman, Stirton, Stoltenberg, Stookey, Stuckslager, Sullivan, Taylor, Teter, Turner, Van Houten, Wade, Warren, Webster, Weeks, Welden, Whipple, Whiting, Wilson of Fayette, Wilson of Tama, Young—108.

Nays were none.

President Garst declared that E. K. Winne, having received a majority of all votes cast and a majority of all votes in the joint convention, was duly elected as a member of the State University board of regents from the Tenth Congressional district.

The following certificate was signed and read in the presence of the joint convention :

STATE OF IOWA,
HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, January 23, A. D. 1907.

This is to certify that at an election by the two Houses of the Thirty-second General Assembly of the State of Iowa in joint convention on the twenty-third day of January, A. D. 1907, for the purpose of electing the officers of the various State institutions, Hon. E. K. Winne, of Humboldt, Humboldt county, Iowa, having received a majority of all the votes cast for said office, was declared duly elected as Regent of the State University, to fill vacancy, for the term, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this twenty-third day of January, A. D. 1907.

WARREN GARST,
President of the Senate.

N. E. KENDALL,
Speaker of the House of Representatives.

GEO. A. NEWMAN,
Secretary of the Senate.

C. R. BENEDICT,
Chief Clerk of the House.

Senator Dolliver then appeared, escorted by the special com-

mittee, and was introduced by President Garst. He responded with a brief address.

Proceedings of the joint convention were read, corrected and approved.

On motion of Senator Gilliland, the joint convention was dissolved.

The Senate returned from the joint convention.

Senator Dowell moved that the Senate do now adjourn.

Carried.

Senate adjourned until 2:00 o'clock p. m. Monday, January 28, 1907.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, Monday, January 28th, 1907.

Senate met in regular session at 2 o'clock P.M., President Garst presiding.

Prayer was offered by the Rev. J. F. Nugent of Des Moines, Iowa.

On request of Senator Dowell, leave of absence was granted Senator Saunders until Friday.

INTRODUCTION OF BILLS.

By Senator Peterson, Senate File No. 37, a bill for an act amendatory of the law as it appears in chapter sixty-eight (68) of the Thirtieth General Assembly, and amendatory acts of the Thirty-first General Assembly relating to levees, ditches, drains and water courses, and amending sections two (2), thirteen (13), fourteen (14) and repealing sections eighteen (18) and nineteen (19) of said chapter, and enacting a substitute for said repealed sections.

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

By Senator Peterson, Senate File No. 38, a bill for an act prohibiting any corporation doing business within the state or any officer, agent or representative thereof acting for such corporation, from giving or contributing any money, property, labor or thing of value, to any member of any political committee, party or employee thereof, or to any candidate for any office for campaign expenses or political purpose whatsoever. And prohibiting any member of any political committee, party or employee thereof, or any candidate for any office from soliciting, requesting or know-

ingly receiving any such contribution from any corporation for campaign expenses or political purpose whatsoever, and providing a penalty for the violation thereof.

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

By Senator Elerick, Senate File No. 39, 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 McKlveen, Senate File No. 40, a bill for an act to amend the law as it appears in section four thousand two hundred and ninety-five (4295) of the Code, relating to assignment, release and satisfaction of mortgages on the margin of the record, and indexing the same, and providing a fee therefor.

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

By Senator McKlveen, Senate File No. 41, a bill for an act providing for district sanitary conventions.

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

By Senator Warren, Senate File No. 42, a bill for an act relating to the capital stock of insurance companies.

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

By Senator Smith of Mitchell, Senate File No. 43, a bill for an act providing for the compilation of a roster of Iowa soldiers, sailors and marines 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 of soldiers, sailors and marines of other states and territories living in Iowa, and making an appropriation therefor.

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

By Senator Dunham, Senate File No. 44, a bill for an act to provide for the compilation of the laws of the Thirtieth, Thirty-first and Thirty-second General Assemblies, and the laws as they appear in the Code Supplement; to annotate the same and the Code and rules of the Supreme Court to and including the May term, 1907, of the Supreme Court, and to publish the said compilations and annotations as "Supplement to the Code" 1907, and to provide for the appointing of a supervising committee and establish a salary for the Editor of such Supplement to the Code, and making an appropriation therefor.

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

By Senator Turner, Senate File No. 45, a bill for an act to amend the law as it appears in section two thousand two hundred and eleven (2211) of the Supplement to the Code, and to amend section twelve (12) of chapter seventy-seven (77) of the Acts of the Thirtieth General Assembly, and section eighteen (18) of chapter ninety-one (91) of the Acts of the Thirty-first General Assembly, and to repeal section fourteen (14) of chapter ninety-one (91) of the acts of the Thirty-first General Assembly, and to enact a substitute therefor, and to provide for stoppage of compensation due officers and men of the Iowa National Guard for loss or damage to property issued them by the State for military purposes.

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

By Senator Stirton, Senate File No. 46, a bill for an act to legalize the acts and proceedings of the city council of the city of Anamosa, Iowa, relative to the construction of permanent sidewalks; and relative to the change of grade of a certain street.

WHEREAS, The city council of Anamosa, Jones County, Iowa, on the 19th day of May, 1906, passed a resolution ordering the building of permanent sidewalks on the northwest side of Main street, between Cherry street and Hickory street; and

WHEREAS, The city council failed to give the ten (10) days' notice required by ordinance for the building of permanent sidewalks; and

WHEREAS, Said permanent sidewalks have been constructed by the city of Anamosa; and

WHEREAS, The city council of said city did on the first day of August, 1905, pass an ordinance lowering the grade of Scott street between Main

street and First street, on petition of property owners on said street; and

WHEREAS, Said grade as re-established was marked by stakes and monuments; and

WHEREAS, In obtaining an accurate description of said grade as changed, a mistake in the figures was made in inserting the same in said ordinance; and

WHEREAS, Said ordinance was passed and published with said erroneous figures in the same, and

WHEREAS, Said city council of said city on the 22d day of November, 1906, passed a resolution directing the city clerk to correct said ordinance by inserting in said ordinance the correct figures of said grade as established to conform to the acts of said council had and done on the 1st day of August, 1905; and

WHEREAS, Said correction had been made by the said city clerk, and there are doubts as to the legality of the action of the council in the respects hereinbefore set out.

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

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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-second General Assembly, fixing their compensation and defining their duties.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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 No. 1, a resolution relating to the selection of additional employes of the Thirty-second General Assembly, fixing their compensation and defining their duties.

W. B. SEELEY,
Chairman Senate Committee.

PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

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

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-second General Assembly, fixing their compensation and defining their duties.

W. B. SEELEY,
Chairman.

Journal of Wednesday, January 23, was taken up, corrected and approved.

Senator Dowell moved that all legalizing acts be printed the same as other bills.

Carried.

Senator Elerick moved that the Senate do now adjourn until 11 o'clock A.M. tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, January 29th, 1907.

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

Prayer was offered by Rev. H. Kremers of Logan, Iowa.

PETITIONS AND MEMORIALS.

Senator Stuckslager presented petition of four hundred and eighty-seven (487) residents of Linn county, urging the passage of a bill providing for two (2) cent railroad fare.

Referred to Committee on Railroads and Commerce.

Senator Whipple presented petition of J. C. Summers Post, No. 296, G. A. R., asking passage of a law prohibiting all games and sports on Memorial Day.

Referred to Committee on Judiciary.

Senator Whipple presented petition of G. A. R. Post of Belle Plaine, asking the passage of a law prohibiting all games and sports on Memorial Day.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Newberry, Senate File No. 47, a bill for an act to amend the law as it appears in chapter eighty-eight (88), laws of the Thirtieth General Assembly, relating to compensation of deputy and assistant dairy commissioners.

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

By Senator Clark, Senate File No. 48, a bill for an act to amend section seven hundred and ninety-two (792) of the Code, relating to street improvements and special assessments and conferring upon incorporated towns the same powers possessed by cities in respect thereto.

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

By Senator Dunham, Senate File No. 49, a bill for an act to provide for the purchase of legislative references to and indexes of current legislation and making an appropriation therefor.

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

By Senator Mattes, Senate File No. 50, a bill for an act regulating the election or appointment of the directors or other persons by whom the affairs of corporations organized on the stock plan for transacting the business of life or fire insurance companies are to be conducted, so as to secure proportionate representation to minority stockholders, and providing for the election of directors, nominated by a minority of the stockholders; additional to chapters one (1), four (4), six (6), seven (7) and eight (8) of title nine (9) of the Code.

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

By Senator Jamieson of Page, Senate File No. 51, a bill for an act to prescribe the duties of express companies and other common carriers handling or delivering packages where the purchase price or any part thereof is collected on delivery, and packages with bill of lading attached.

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

By Senator Jamieson of Page, Senate File No. 52, a bill for an act to regulate the disposition of certain intoxicating liquors received from express companies or other common carriers.

Read first and second time and referred to Committee on Supresion of Intemperance.

By Senator Elerick, Senate File No. 53, a bill for an act to repeal chapter fifty-nine (59) of the acts of the Thirty-first General Assembly, and amend section one thousand five hundred and thirty-eight (1538) of the Code.

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

By Senator Allen, Senate File No. 54, a bill for an act to amend the law as it appears in title seven (7) chapter two (2), section one thousand four hundred and thirty-two (1432), relating to certificates of purchase and providing for renewal of lost or destroyed certificates of purchase.

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

By Senator Dowell, Senate File No. 55, a bill for an act to prohibit and regulate hospitals, institutions and places, created for or maintained and used as lying in or maternity hospitals, or hospitals 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 DeArmand, Senate File No. 56, a bill for an act prohibiting the wearing or use of buttons, badges, regalia or other insignia of certain orders and societies by those not members of such orders or societies, and providing a penalty therefor.

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

By Senator DeArmand, by request, Senate File No. 57, a bill for an act to establish a General District Court.

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

By Senator Frudden, Senate File No. 58, a bill for an act providing that section six hundred and fifty-four (654) of the Supplement to the Code, and section six hundred and seventy-two (672)

of the Code, relating to the appointment and compensation of police matrons, be made applicable to special charter cities.

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

By Senator Dowell, Senate File No. 59, a bill for an act to amend sections two thousand five hundred and fifty-five (2555) and two thousand five hundred and fifty-six (2556) of the Code, relating to the care and propogation of fish and the protection of birds and game.

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

Senator Mattes introduced the following resolution and moved its adoption:

Resolved, That a committee of three be appointed on mileage and expenses of the visiting committees to the state institutions.

Adopted.

The President appointed as a Committee on Mileage and Expenses of Visiting Committees to the State Institutions, Senators Mattes, Seeley and Moon.

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

C. J. Richman, Clerk of Committee on Engrossed Bills; Dollie Koon, Clerk for Senator Whiting; Edna M. Vorhees, Clerk for Committee on Agriculture, appeared before the bar of the Senate and were duly sworn.

Senator Wilson of Fayette moved that the Senate do now adjourn until 11 o'clock A.M. tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, January 30th, 1907.

Senate met in regular session at 11:00 o'clock a. m., President Garst presiding.

Prayer was offered by the Rev. J. B. Jones of Conrad, Iowa.

On request of Senator Smith of Mitchell, leave of absence was granted Senator Ericson indefinitely on account of illness.

On request of Senator Bruce, he was excused indefinitely.

INTRODUCTION OF BILLS.

By Senator Frudden, Senate File No. 60, a bill for an act to validate and legalize the consolidation of the Dunleith and Dubuque Bridge Company, a corporation created under the laws of the State of Illinois, with the Dunleith and Dubuque Bridge Company, a corporation created under the laws of the State of Iowa, and validating and legalizing all rights and franchises exercised under said consolidation by said Iowa corporation and all corporate acts and proceedings of the said Iowa corporation since the consolidation of the said Illinois corporation with it.

WHEREAS, On the 25th day of July, 1866, the Congress of the United States passed an act authorizing the construction and maintenance of a bridge across the Mississippi River, between Dunleith, in the State of Illinois, and Dubuque, in the State of Iowa, and

WHEREAS, The Legislature of the State of Illinois, by an act approved February 14th, 1857, granted a charter to the Dunleith and Dubuque Bridge Company, a corporation created under the laws of the State of Illinois, and which corporation was by its charter given power to unite and consolidate its franchises and property with any and all bridge and railroad companies in the State of Illinois, or State of Iowa, and

WHEREAS, There was organized and created under the laws of the State of Iowa, on the 3d day of June, 1867, a corporation known as the Dunleith and Dubuque Bridge Company, for the purposes of constructing a railroad bridge across the Mississippi River from the city of Dubuque, Iowa, to the city then known as Dunleith, in the State of Illinois, and

WHEREAS, Section 1322 of the revision of 1860 of the laws of Iowa, granted the power to railroad companies to join and unite their said road to and with a railroad in an adjoining state, and to merge and consolidate the stock of such company with other railroad companies, and to thereby make one joint stock company of the railroads thus connected, and

WHEREAS, It is provided in Section 2036 of the Code of Iowa of 1897, that a railroad corporation has the power to join, intersect and unite, and to consolidate with any other corporation, and

WHEREAS, On the 6th day of July, 1867, the Dunleith and Dubuque Bridge Company, a corporation created under the laws of the State of Illinois, executed articles of consolidation with the Dunleith and Dubuque Bridge Company, a corporation organized under the laws of the State of Iowa; and

WHEREAS, The said corporation was operated as a consolidated company, and said consolidation has been in force and effective since the 6th day of July, 1867, and all corporate powers of said two corporations have been assumed and exercised by the said Dunleith and Dubuque Bridge Company, the Iowa Corporation, under and by virtue of said articles of consolidation, and which last named corporation has transacted all business of said two corporations, and exercised all the franchises and rights of the said two corporations, under the name of said Iowa corporation, with which said Illinois corporation was so consolidated.

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

By Senator Jackson, Senate File No. 61, a bill for an act to authorize the bringing of ordinary suits at law for the collection of delinquent taxes and for the issuance of writs of attachment in certain cases, and to amend section one thousand four hundred fourteen (1414) of the Code.

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

By Senator Elerick, Senate File No. 62, a bill for an act to legalize the acts and resolutions passed by the Board of Supervisors of Van Buren county, Iowa, making a final settlement with H. L. McGrew, county treasurer of said county, and releasing said H. L. McGrew and his bondsmen from liability on account of loss by reason of the deposit of county and other funds in the private banking house of E. H. Skinner & Co.

WHEREAS, The Board of Supervisors of Van Buren County, Iowa, at their January meeting, 1899, passed a resolution authorizing and permitting the then county treasurer, D H. Moore, to deposit county and other funds to an amount not exceeding ten thousand dollars at any one time in the private bank of E. H. Skinner & Co.; and

WHEREAS, The said E. H. Skinner & Co. did on the 12th day of Janu-

ary, 1899, execute a bond as security for such deposits as provided by Section 1457 of the Code; and

WHEREAS, the said D. H. Moore died on the 7th day of July, A. D. 1900, and H. L. McGrew was appointed by the Board of Supervisors as the successor, and was subsequently, at the general election in November, elected to fill out the remainder of said term and has since been re-elected twice to additional terms as such county treasurer; and

WHEREAS, Immediately after his appointment to succeed the said D. H. Moore as such treasurer, the said H. L. McGrew submitted to the then County Attorney of Van Buren County, Iowa, the question whether or not the said bond aforesaid was sufficient security for deposits to be continued to be made in said bank, and was advised by the said County Attorney that the said bond was sufficient, and that he as County Treasurer need not demand or require a new or additional bond. That the conditions therein ran to and in favor of him as the successor of D. H. Moore; and

WHEREAS, After his election by the people of said county as Treasurer, the said H. L. McGrew again submitted the same question to the County Attorney and Board of Supervisors; and

WHEREAS, The said County Attorney in a written opinion, and the Board of Supervisors verbally advised the said H. L. McGrew that said bond was sufficient, and that he need not procure a new additional bond, but would have the right to deposit in said bank under and by virtue of the former resolution of said board and the security of said bond; and

WHEREAS, In pursuance of the advice of the County Attorney and members of the Board of Supervisors, the said H. L. McGrew as such County Treasurer continued to deposit county and other funds in the said bank of E. H. Skinner & Co.; and

WHEREAS, On the 8th day of November, 1904, the said E. H. Skinner & Co. filed a voluntary petition in bankruptcy, and was subsequently adjudged a bankrupt in the Federal Courts, and after payment by the trustee in bankruptcy appointed on said bankrupt's estate of the per cent which said estate paid on its indebtedness, there remained due and unpaid of the deposits therein by said County Treasurer the sum of \$2,091.09; and

WHEREAS, The Board of Supervisors of said county passed a resolution directing that the said H. L. McGrew, County Treasurer, should prosecute an action thereon in his name as such County Treasurer against the sureties on said bond to recover such balance; and

WHEREAS, Such action was brought and prosecuted to final judgment in the District Court of Van Buren County, Iowa, resulting in a final judgment by said court that said bondsmen or sureties thereon were not liable on said bond for such deposits; and

WHEREAS, The Board of Supervisors of said county, believing that it would be inequitable and unjust that said H. L. McGrew should bear said loss and it not being the fault or negligence of said H. L. McGrew that said deposits were made in said bank or said loss occasioned but the same being occasioned by reason of the advice of the County Attorney and the members of the Board of Supervisors, and believing that the loss occasioned thereby should and ought to be sustained by the county and not by the said H. L. McGrew, did at their regular meeting on the 7th day of January, A. D. 1907, make a full and complete settle-

ment with said H. L. McGrew as County Treasurer, and receipted him in full for all monies and property coming into his hands as treasurer of said county and passed a resolution releasing said H. L. McGrew and his bondsmen from any and all liability growing out of the deposit of county and other funds in said bank, or on account of the failure of said bank; and

WHEREAS, Doubts have arisen as to whether or not said Board of Supervisors had the authority to release said County Treasurer and his bondsmen from liability on account thereof.

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

By Senator Young, Senate File No. 63, a bill for an act to repeal sections four thousand nine hundred forty-six-b (4946-b), four thousand nine hundred forty-six-c (4946-c), four thousand nine hundred forty-six-d (4946-d) and four thousand nine hundred forty-six-e (4946-e) of the Supplement to the Code, relating to the disposition of unclaimed dead bodies; providing for their use for anatomical purposes, and providing penalties for violation, and to enact in lieu thereof the following:

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

By Senator Taylor, Senate File No. 64, a bill for an act to legalize certain actions of the Board of Supervisors of Appanoose county, Iowa, relating to drainage district No. 1 of said county and the issuance of bonds for the payment of the expenses, costs, costs of construction and fees.

WHEREAS, The Board of Supervisors of Appanoose County, Iowa, after due and legal service as to the pendency of the petition and as to the appraisal of damages and the assessment of the costs, established Drainage District No. 1 of said county and fixed the amount of damages to be paid to each of the parties entitled thereto on account of the construction of the improvement therein, and apportioned the costs, expenses, costs of construction and fees as provided by law; and also

WHEREAS, Said Board of Supervisors afterwards, after advertising as required by law and receiving sealed bids, awarded contracts to the lowest bidders; and also

WHEREAS, The work on said contracts has been commended and a great portion thereof completed; and also

WHEREAS, For some reasons unknown to said Board of Supervisors, the said board has been unable to sell the bonds and provide money for the carrying on of said construction; and also

WHEREAS, Unless said construction is completed at an early date the unfinished condition of said improvement will cause great damage to the lands affected at the time of the spring overflows, and said spring overflows will greatly damage said improvement and cause great loss to said district; and also

WHEREAS, The said work of construction can be completed before said spring overflow if the said bonds can be sold.

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

By Senator Stookey, Senate File No. 65, a bill for an act to amend section one thousand eight hundred eighty-four (1884) of the Code, that the said section be amended by adding thereto and defining the term, "when insolvent."

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

By Senator Jackson, Senate File No. 66, a bill for an act to amend section three thousand one hundred eighty (3180) of the Code, relating to judgments in divorce actions.

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

By Senator Smith of Mitchell, Senate Joint Resolution No. 2; Joint Resolution of the Thirty-second General Assembly of the State of Iowa, making application to the Congress of the United States, to call a convention for proposing amendments to the Constitution of the United States.

Read first and second time and referred to Committee on Federal Relations.

Senator Peterson introduced the following resolution, and moved its adoption:

Resolved, That 500 extra copies of Senate File No. 2 and 500 extra copies of Senate File No. 3, the primary election bills, be printed for the use of the members of the Senate and House of Representatives.

Adopted.

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

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Printing to whom was referred Senate File No. 27, a bill for an act to amend Section forty-seven (47) of the Code, relative to compensation of newspapers for the publication of laws, beg leave to report that they have had the same under consideration

and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. H. ALLEN,
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. 46, a bill for an act to legalize the acts and proceedings of the City Council of the city of Anamosa, Iowa, relative to the construction of permanent sidewalks, and relative to the change of grade of a certain street, beg leave to report that they 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 legalizing the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the City Council of Leon, Iowa, and legalizing all the acts proceedings, and resolutions adopted or passed by the said City Council in changing from the incorporated town of Leon, Iowa, to the incorporated city of Leon, Decatur County, Iowa, legalizing all of the aforesaid proceedings as fully and effectually as if the law in every particular had been complied with in the passage of all said acts, proceedings and resolutions and publication thereof, if same had in any respect been omitted or neglected, and legalizing all the acts of the officials acting under, beg leave to report that they 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 Hughes moved that the Senate do now adjourn until 11:00 o'clock tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, January 31, 1907.

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

Prayer was offered by the Reverend William L. Bray of Sheldon, Iowa.

INTRODUCTION OF BILLS.

By Senator Kimmel, by request, Senate File No. 67, a bill for an act to amend Section One Thousand Three Hundred and Four (1304) of the Code, relative to the assessment of taxes.

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

By Senator Kimmel, by request, Senate File No. 68, 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 punishment 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 and Sixty-two 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 Peterson, Senate File No. 69, a bill for an act to amend Section Three Thousand, Five Hundred and Twenty-nine (3529) of the Supplement to the Code relating to the service of original notice upon any corporation or person owning or operating any railway, or canal, steamboat or other river craft, or any telegraph, telephone, stage, coach or car line, express company or foreign corporation.

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

By Senator Jamison of Clarke, Senate File No. 70, a bill for an act repealing Section One Thousand Seven Hundred and Forty-six (1746) of the Code, and enacting a substitute therefor.

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

By Senator Newberry, Senate File No. 71, a bill for an act to amend the law as it appears in Section Seven (7) and Eight (8) of Chapter One Hundred and Sixty-six (166) of the Acts of the Thirty-first General Assembly, relating to the definition of the term "misbranded," and the method of labeling.

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

By Senator Nichols, Senate File No. 72, a bill for an act to amend Section One Thousand Six Hundred and Sixty-one-A (1661-A) of the supplement to the Code, relative to State aid to district or county agricultural societies.

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

By Senator Wilson of Clinton (by request), Senate File No. 73, 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 Eighteen Hundred and Ninety-seven (1897).

WHEREAS, The persons named in section one (1) of this bill furnished material and labor for the erection of the medical hospital, erected by the Iowa State University in 1897 and for which they have not been paid, by reason of the fact that the contract price was insufficient to pay the cost of the material and labor furnished for said building, and the contractor, James Howie, was, and is insolvent; and

WHEREAS, There is due and unpaid to said persons the respective amounts named in said section 1.

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

By Senator Allen, Senate File No. 74, a bill for an act limiting the indebtedness of state and savings banks and repealing Section One Thousand Eight Hundred and Fifty-five of the Code.

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

By Senator Allen, Senate File No. 75, a bill for an act to repeal

Section One Thousand Eight Hundred and Sixty-nine of the Code of Iowa, relating to pay of, and loans to, officers of state and savings banks and to enact a substitute therefor.

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

By Senator Allen, Senate File No. 76, a bill for an act repealing Section One Thousand Eight Hundred and Seventy-two (1872) and One Thousand Eight Hundred and Seventy-three (1873) of the Code, relating to quarterly statements of state and savings banks and examination by the Auditor of State and providing substitutes therefor.

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

By Senator Maytag, Senate File No. 77, 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.

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

By Senator Young, Senate File No. 78, a bill for an act to provide for the examination and registration of graduated nurses.

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

By Senator Hughes, Senate File No. 79, a bill for an act to amend Section Three Thousand Six Hundred and Eighty-eight (3688) of Chapter Nine (9) of Title Eighteen (XVIII) of the Code.

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

By Senator Dowell, Senate File No. 80, a bill for an act appropriating money to J. H. Cownie, Jr., R. R. McCutcheon and F. M. Hubbell, as trustees, to reimburse them for the funds advanced and used in the purchase of a tract of land for the State as an addition to the State Fair Grounds.

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

Senator Allen asked unanimous consent to have 700 extra copies of Senate File No. 74 and Senate File No. 75 and Senate File No. 76 printed.

Consent granted.

Senator Newberry asked unanimous consent to have 500 extra copies of Senate File No 18 and No. 19 printed.

Consent granted.

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

THIRD READING OF BILLS—BY UNANIMOUS CONSENT.

On motion of Senator Allen Senate File No. 27, 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 passage, was taken up and considered.

Senator Allen moved that the rule be suspended, 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:

Senators Allen, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—39

The nays were:

Senator Taylor—1.

Absent or not voting:

Senators Bleakly, Bruce, DeWolf, Ericson, Gale, Jamison of Clark, Jones, Saunders, Seeley, Stuckslager—10.

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 Senate File No. 44, a bill for an act to provide for the compilation of the laws of the Thirtieth, Thirty-first and Thirty-second General Assemblies and the laws as they appear in the Code Supplement; to annotate the same and the code and rules of the Supreme Court to and including the

May term, 1907, of the Supreme Court, and to publish the said compilations and annotations as a "Supplement to the Code, 1907," and to provide for the appointing of a supervising committee and establish a salary for the editor of such Supplement to the Code 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:

1. Amend section 1 by striking out the second "that" in the first line thereof.

2. Amend section 1 by striking out of the first and second lines, the words "President of the Senate" and by inserting in lieu thereof the words "Lieutenant Governor," and by inserting in the second line thereof and before the word, "Speaker" the word "present."

3. Amend section 3 by striking out the words and figures "two thousand dollars (\$2,000,)" in the fourth line, and by inserting in lieu thereof the words and figures "fifteen hundred dollars (\$1,500.)"

4. Amend section 10 by striking out the word "two" and the figure "2" in the last line thereof, and insert in lieu thereof the word "three" and figure "3," respectively.

5. Amend section 11 by striking out the word "nine" in the first line thereof, and inserting in lieu thereof the word "twelve," and when so amended the bill 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 legalize the acts and resolutions passed by the board of supervisors of Van Buren county, Iowa, making a final settlement with H. L. McGrew, county treasurer of said county, and releasing said H. L. McGrew and his bondsmen from liability on account of loss by reason of the deposit of county and other funds in the private banking house of E. H. Skinner & Co., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the 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. 40, a bill for an act to amend the law as it appears in section four thousand two hundred and ninety-five (4295) of the Code, relating to assignment, release and satisfaction of mortgages on the margin of the record and indexing of same and providing a fee 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.

THIRD READING OF BILLS.

On motion of Senator Dunham, Senate File No. 44, a bill for an act to provide for the compilation of the laws of the Thirtieth, Thirty-first and Thirty-second General Assemblies and the laws as they appear in the Code Supplement; to annotate the same and the Code, and rules of the Supreme Court to and including the May Term, 1907, of the Supreme Court, and to publish the said compilations and annotations as a "Supplement to the Code, 1907," and to provide for the appointing of a supervising committee and establish a salary for the editor of such supplement to the Code and making an appropriation therefor, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted. Senator Dunham moved the adoption of the following committee amendment:

1. Amend section 1 by striking out the second "that" in the first line thereof.

• Adopted.

Senator Dunham moved the adoption of the following committee amendment:

2. Amend section 1 by striking out of the first and second lines, the words "President of the Senate" and by inserting in lieu thereof the words "Lieutenant Governor," and by inserting in the second line thereof and before the word "Speaker" the word "present."

Adopted.

Senator Dunham moved the adoption of the following committee amendment:

3. Amend section 3 by striking out the words and figures "two thousand dollars (\$2,000)" in the fourth line, and by inserting in lieu thereof the words and figures "fifteen hundred dollars (\$1,500.)"

Adopted.

Senator Dunham moved the adoption of the following committee amendment:

4. Amend section 10, by striking out the word "two" and the figure "2" in the last line thereof, and insert in lieu thereof the word "three" and the figure "3," respectively.

Adopted.

Senator Dunham moved the adoption of the following committee amendment:

5. Amend section 11 by striking out the word "nine" in the first line thereof, and inserting in lieu thereof the word "twelve."

Adopted.

Senator Dowell moved the time of adjournment be extended until the bill under consideration be disposed of.

Carried.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmell, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators Bruce, Ericson, Gale, Saunders, Stuckslager—5.

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

Senator Bleakly moved the Senate do now adjourn until 11 o'clock A. M. tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, Friday, February 1st, 1907.

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

Prayer was offered by the Rev. G. W. Swart of Plano, Iowa.

On request of Senator Jackson leave of absence was granted Senator Stookey indefinitely on account of sickness.

INTRODUCTION OF BILLS.

By Senator Warren, Senate File No. 81, a bill for an act prohibiting the storage and transportation of powder or other explosives in coal mines while miners or other employes are working therein.

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

By Senator Dowell, Senate File No. 82, 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 Jackson, Senate File No. 83, a bill for an act regulating the taxation of mortgages, and mortgaged real estate.

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

By Senator Whipple, Senate File No. 84, 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 repeal Sections Two Thousand Six Hundred and

Seventeen (2617), Two Thousand Six Hundred and Eighteen (2618), Two Thousand Six Hundred and Nineteen (2619), Two Thousand Six Hundred and Twenty (2620), Two Thousand Six Hundred and Thirty-five (2635), Two Thousand Six Hundred and Thirty-six (2636), Two Thousand Six Hundred and Forty-two (2642), Two Thousand Six Hundred and Forty-six (2646), Two Thousand Six Hundred and Forty-seven (2647), Two Thousand Six Hundred and Fifty (2650), Two Thousand Six Hundred and Fifty-one (2651), Two Thousand Six Hundred and Fifty-two (2652), Two Thousand Six Hundred and Fifty-three (2653), Two Thousand Six Hundred and Sixty-eight (2668), Two Thousand Six Hundred and Sixty-nine (2669), Two Thousand Six Hundred and Seventy (2670), Two Thousand Six Hundred and Eighty-one (2681) of the Code, and the law as it appears in Sections Two Thousand Seven Hundred and Twenty-seven-A-Fifty-three (2727-A-53), Two Thousand Six Hundred and Twenty-seven-A-Fifty-four (2627-A-54), Two Thousand Seven Hundred and Twenty-seven-A-Fifty-five (2727-A-55), Two Thousand Seven Hundred and 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.

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

By Senator Crossley, Senate File No. 85, a bill for an act amending Paragraph Seven (7), Chapter One Thousand Three Hundred and four (1304) of the Supplement to the Code, relative to exemptions to Union Soldiers or Sailors of the Mexican War or of the War of the Rebellion, or to the Widows of said Soldiers or Sailors.

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

By Senator Crossley, Senate File No. 86, a bill for an act to amend Section Four Thousand and Eleven (4011) of the Code, relating to exemption of personal earnings.

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

By Senator Whipple, Senate File No. 87, a bill for an act for the relief of the grantees of Jacob W. Applegate, and for the purpose of having a patent issued in the name of S. S. Judge, for a certain tract of land.

WHEREAS, On May 29th, 1854, Noah Myers, School Fund Commissioner, made and executed to Jacob W. Applegate a contract for the Southwest Quarter of the Southwest Quarter of Section 5 in Township 83, North of Range 16, West of the 5th P. M., in Tama County, Iowa, and

WHEREAS, Jacob W. Applegate, on May 23, 1859, gave to Henry Judge a warranty deed to the South Two-thirds of the Southwest Quarter, of the Northwest Quarter of Section 5, in Township 83, North of Range 16, West of the 5th P. M., in Tama County, Iowa, and

WHEREAS, Jacob W. Applegate on May 23, 1859, by warranty deed, conveyed to Archibald Dunbar the North One-third of the Southwest Quarter of the Northwest Quarter of Section 5, Township 83, North of Range 16, West of the 5th P. M., in Tama County, Iowa, and

WHEREAS, Archibald Dunbar and wife conveyed to John W Dunbar on November 2, 1870, by warranty deed, the Middle Third of the Northwest Quarter of Section 5, in Township 83, North of Range 16, West of the 5th P. M., and

WHEREAS, John W Dunbar and wife deeded to Archibald Dunbar, Sr., on July 12, 1871, the Middle Third of the Northwest Quarter of Section 5 in Township 83, North of Range 16, West of the 5th P. M., in Tama County, Iowa, and

WHEREAS, Archibald Dunbar and wife conveyed by warranty deed to Henry Judge on June 4, 1873, the North Third of the South Half of the Northwest Quarter of Section 5, in Township 83, North of Range 16, West of the 5th P. M., in Tama County, Iowa, and

WHEREAS, It appears from the records kept by the Auditor of Tama County, Iowa, that a contract was issued by Noah Myers, School Fund Commissioner, to Wm. Allman, on September 19, 1853, for the West Half of the Southwest Quarter of Section 5 in Township 83, North of Range 16, West of the 5th P. M., in Tama County, Iowa, and certificate of final payment was issued to him on December 28, 1854, and

WHEREAS, It appears that the contract made by Noah Myers, School Fund Commissioner, with Jacob W. Applegate, to the Southwest Quarter of the Southwest Quarter of Section 5, in Township 83, North of Range 16, West of the 5th P. M., in Tama County, Iowa, was an error and the description should have been the Southwest Quarter of the Northwest Quarter of Section 5, in Township 83, North of Range 16, West of the 5th P. M., in Tama County, Iowa, and

WHEREAS, Henry Judge has been in the peaceable and adverse possession by virtue of the above deeds to the Southwest Quarter of the Northwest Quarter of Section 5, in Township 83, North of Range 16, West of the 5th P. M. in Tama County Iowa, since June 4, 1873, and

WHEREAS, Henry Judge has conveyed by warranty deed the said Southwest Quarter of the Northwest Quarter of Section 5 in Township 83, North of Range 16, West of the 5th P. M., in Tama County, Iowa, to S. S. Judge, who is now the owner of said real estate, and

WHEREAS, The title to the said land is still in the State of Iowa

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

By Senator Taylor, Senate File No. 88, a bill for an act to amend Chapter Two (2) of Title Eight (8) of the Supplement to the Code, relating 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 Highways.

By Senator Jones, Senate File No. 89, a bill for an act to amend Section Three Thousand One Hundred and Forty-one (3141) of the Code, relating to Marriage Licenses.

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

By Senator Jones, Senate File No. 90, a bill for an act to amend Section Three Thousand 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 Gilliland, Senate File No. 91, a bill for an act to repeal Section Two Thousand and Seventy-seven (2077) of the Code, relating to Maximum Rates of Fare and enacting a substitute therefor.

Read first and second time and referred to Committee on Railroads

By Senator Moon, Senate File No. 92, a bill for an act entitled "An act to promote the Safety and Health of Employes and Passengers upon Street Railways."

Read first and second time and referred to Committee on Cities and towns.

By Senator Hughes, Senate File No. 93, a bill for an act to prohibit common carriers of passengers, including steam railway, interurban railway, street railway and sleeping car companies, from issuing or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation, or discriminating reduced rates by any person except certain described persons; providing a penalty for the violation of the act, also for annual reports and for the repeal

of Chapter Ninety (90), Laws of the Thirty-first General Assembly.

Read first and second time and referred to Committee on Railroads

REPORT OF COMMITTEE.

Senator Gilliland, 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. 58, a bill for an act providing that Section 654 of the Supplement to the Code and Section 672 of the Code, relating to the appointment and compensation of police matrons be made applicable to 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 amended by inserting the words “the law as it appears in” after the word “of” in the first line of Section 1, and before the words “Six Hundred” in said section, and when so amended the bill do pass.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

Senator Dowell was called to the chair at 11:15 o'clock A.M.

Senator Maytag offered the following resolution and moved its adoption:

Resolved, That the Custodian of the Capital be and is hereby directed to procure and place in the office of the President of the Senate a suitable desk for the use of the President.

Adopted.

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

President Garst resumed the chair at 11:25 A.M.

THIRD READING OF BILLS.

On motion of Senator Stirton, Senate File No. 46, a bill for an act to legalize the acts and proceedings of the city council of the city of Anamosa, Iowa, relative to the construction of permanent sidewalks; and relative to the change of grade of a certain street, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stirton moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators Bruce, Ericson, Gale, Jamieson of Page, Stookey—5.

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. 47, a bill for an act regulating disbursements of insurance 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. 48, a bill for an act to provide a method whereby assessment life associations may be reincorporated as legal reserve life insurance 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. 32, a bill for an act amending Section One Thousand Seven Hundred and Ninety-four (1794) of the Code, relative to fraternal accident associations.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Elerick, Senate File No. 62, a bill for an act to legalize the acts and resolutions passed by the Board of Supervisors of VanBuren county, Iowa, making a final settlement with H. L. McGrew, County Treasurer of said county, and releasing said H. L. McGrew and his bondsmen from liability on account of loss by reason of the deposit of county and other funds in the private banking house of E. H. Skinner & Co., with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dunham, Eckles, Elerick, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Bruce, Dowell, Ericson, Gale, Stookey, Turner—6.

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

Senator Frudden moved that the reports of the Visiting Committees to the State Institutions be withheld for the present and all be printed in one Journal at some later day.

Carried.

Senator Bleakly asked unanimous consent to have Three Hundred (300) extra copies of Senate File No. 20 and Senate File No. 23 printed.

Consent granted.

HOUSE MESSAGE CONSIDERED.

House File No. 47, a bill for an act regulating disbursement of insurance companies.

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

House File No. 48, a bill for an act to provide a method whereby assessment life associations may be re-incorporated as legal reserve life insurance companies.

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

House File No. 32, a bill for an act amending Section One Thousand Seven Hundred and Ninety-four (1794) of the Code, relative to fraternal accident associations.

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

Senator Stirton moved that the Senate do now adjourn until 11 o'clock A.M. tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, SATURDAY, FEBRUARY 2, 1907.

Senate met in regular session at 11:00 o'clock a. m., President Garst presiding.

Prayer was offered by the Reverend R. S. Weinland of Shelby, Iowa.

On request of Senator Stirton leave of absence was granted Senator DeWolf until Tuesday.

On request of Senator Newberry leave of absence was granted Senator Dunham until Monday.

On request of Senator Warren leave of absence was granted Senator Jones until Monday.

PETITIONS AND MEMORIALS.

Senator Smith of Des Moines presented the following petition of 271 residents of West Burlington, Iowa:

WEST BURLINGTON, IOWA, JANUARY 15, 1907.

To the General Assembly of the State of Iowa:

DES MOINES, IOWA.

We, the undersigned citizens of West Burlington, Iowa, would respectfully petition the General Assembly that Chapter Ninety (90) of the Laws of the Thirty-first General Assembly of the State of Iowa, be repealed in so far as said law prohibits a steam or interurban railway from extending, granting or giving the employes thereof free transportation on and over the lines of road owned or controlled by the company when such employe is holding a city or town office.

As a reason for making this request, your petitioners beg to state, that the town of West Burlington, is owned and its population is made up almost exclusively, of men and their families employed by the Chicago, Burlington & Quincy Railroad company, in that company's shops, located in said town, and are therefore obliged to accept and fill the various town offices. That before the passage of said law the said railroad company granted all of its employes, including such as were holding and filling the town offices, free transportation, which transportation was, by the

men, regarded as a part of their compensation. Since the passage of said law this transportation, so far as the town officials are concerned, has been withdrawn. The welfare of the town demands that these men should be free to hold and fill these offices, but they cannot afford so to do if it means so great a sacrifice to them. We, the citizens of West Burlington, Iowa, respectfully request the members of the Thirty-second General Assembly to repeal so much of said law as will restore to our people their original rights and leave said railroad company free to furnish such transportation to the officers of said town.

Referred to Committee on Railroads.

Senator Stuckslager presented petition of residents of Center Point urging the passage of a law providing for two-cent railroad fare.

Referred to Committee on Railroads.

INTRODUCTION OF BILLS.

By Senator Nichols, Senate File No. 94, a bill for an act making appropriations for swine barns with show ring, a steel constructed amphitheater and additional land at the Iowa State Fair and Exposition Grounds.

WHEREAS, Swine raising is one of the principal sources of income for the farmers of the State of Iowa; and,

WHEREAS, The annual show of swine at the Iowa State Fair has grown to such an extent within the past few years that it is recognized as the world's greatest show; and,

WHEREAS, The equipment now provided for this show upon the State Fair grounds is inadequate, unsanitary and a disgrace, not only to the great State of Iowa, but to the swine breeders who annually contribute to this show; and,

WHEREAS, The attendance at the annual Iowa State Fair and Exposition has grown by leaps and bounds the past few years (190,000 last year); and,

WHEREAS, During the week of the Fair and Exposition thousands of people are daily refused admittance to the amphitheater which is neither adequate or safe; and,

WHEREAS, The great State of Iowa has not kept pace in the past with the other states in providing proper equipment upon her State Fair and Exposition grounds, or in keeping with those provided for her other state institutions,

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

By Senator Seeley, Senate File No. 95, a bill for an act to indemnify Charles H. Tribby for damages caused by sewage from the State Hospital for Insane at Mount Pleasant, Iowa.

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

By Senator Lambert, Senate File No. 96, a bill for an act to abolish the offices of State Printer and State Binder, to provide for the State printing and binding by the competitive contract system, to repeal Sections One Hundred Seventeen (117), and One Hundred Eighteen (118), and to enact substitutes therefor, and to amend Sections One Hundred Nineteen (119), One Hundred Twenty-seven (127), One Hundred Twenty-nine (129), One Hundred Thirty (130), One Hundred Thirty-three (133), One Hundred Thirty-eight (138), One Hundred Thirty-nine (139), One Hundred Forty-one (141) of the Code and the law as it appears in Sections One Hundred Sixty-five (165) and One Hundred Sixty-eight (168) of the Supplement to the Code, relative to State Printer and State Binder and State printing and State binding.

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

By Senator Mattes, Senate File No. 97, 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-second General Assembly to visit the several State institutions.

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

By Senator Turner, Senate File No. 98, a bill for an act to empower the State Educational Board of Examiners to validate teachers' certificates issued in other States.

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

By Senator Stuckslager, Senate File No. 99, 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 (25,000) 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.

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

By Senator Allen, Senate File No. 100, a bill for an act to repeal Section One Thousand Five Hundred Thirty (1530) of the Code, relative to the levying of taxes for roads and highways.

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

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. 87, a bill for an act for the relief of the grantees of Jacob W. Applegate, and for the purpose of having a patent issued in the name of S. S. Judge, 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.

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 the law as it appears in Section Four Hundred and Sixty-nine (469), Title Four (4), Chapter One (1) of the Code, relating to the compensation 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 amended by striking out Section One (1) thereof and inserting in lieu thereof the following:

Section 1. Section Four Hundred and Sixty-nine (469) of the Code is hereby amended by striking out the period at the end of said section and inserting in lieu thereof a colon and by adding thereto after the said colon the following: *Provided*, however, that when the board of supervisors of any county is required to act under the provisions of Chapter Two (2), Title Ten (10) of the Code and amendatory acts thereto, relating to levees, drains, ditches and water courses, the number of days hereinbefore specified for which compensation may be allowed for session

service, shall be increased by the number of additional days necessarily taken by the board in the performance of its duties relating thereto, not exceeding sixty days (60).

And when so amended the bill 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. 69, a bill for an act to amend Section Three Thousand Five Hundred and Twenty-nine (3529) of the Supplement to the Code, relating to the service of original notice upon any corporation or person owning or operating any railway, or canal, steamboat or other river craft, or any telegraph, telephone, stage, coach or car line, express company or foreign corporation, beg leave to report that they have 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 adding after the word "amend" in the first line thereof, the words "the law as it appears in."

That Section One (1) be amended 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.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 32, a bill for an act making appropriation for the purchase of Twenty Thousand (20,000) Railroad Commissioners' Official Maps to be distributed by the members of the General Assembly and Railroad Commissioners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the word "Daily" in the publication clause.

And when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Adopted.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 49, a bill for an act to provide for the purchase of legislative references to and indexes of current legislation 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 by adding the word "The" before the word "Des Moines" in the second line, and by striking out the word "Daily" after the word "Des Moines" in the third line of the publication clause.

And when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Maytag, Senate File No. 32, a bill for an act making appropriation for the purchase of twenty thousand (20,000) Railroad Commissioners' official maps to be distributed by the members of the General Assembly and Railroad Commissioners, with report of committee recommending passage as amended, was taken up, and considered.

Senator Maytag moved the adoption of the following committee amendment:

Amend by striking out the word "daily" in the publication clause.

Adopted.

The bill, as amended, was read for information.

Senator Newberry moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Eckles, Elerick, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Bruce, Dowell, Dunham, Ericson, Gale, Jamieson of Clark, Jones, Stookey, Whiting—9.

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

On motion of Senator Dowell, Senate File No. 28, a bill for an act to amend the law as it appears in Section Four Hundred Sixty-nine (469), Title Four (4), Chapter One (1) of the Code, relating to the compensation of supervisors, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Dowell moved the adoption of the following committee amendment:

Amend by striking out Section One (1) and insert in lieu thereof the following:

Section 1. Section Four Hundred and Sixty-nine (469) of the Code is hereby amended by striking out the period at the end of said section and inserting in lieu thereof a colon and by adding thereto after the said colon the following: *Provided*, however, that when the board of supervisors of any county is required to act under the provisions of Chapter Two (2), Title Ten (10) of the Code and amendatory acts thereto, relating to levees, drains, ditches and water courses, the number of days hereinbefore specified for which compensation may be allowed for session service, shall be increased by the number of additional days necessarily taken by the board in the performance of its duties relating thereto, not exceeding sixty (60) days.

Adopted.

The bill, as amended, was read for information.

Senator Allen moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, Dowell, Eckles, Elerick, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—
42.

The nays were:

None.

Absent or not voting :

Senators Bruce DeWolf, Dunham, Ericson, Gale, Jamison of Clarke, Jones, Stookey—8.

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

Senator Young moved that the petition offered by Senator Smith of Des Moines, relative to the repeal of certain portions of the anti-pass law, be printed in the Journal.

Carried.

THIRD READING OF BILLS.

On motion of Senator Whipple, Senate File No. 87, a bill for an act for the relief of the grantees of Jacob W. Applegate, and for the purpose of having a patent issued in the name of S. S. Judge, for a certain tract of land, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

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

On the question, "Shall the bill pass?"

The yeas were :

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, Dowell, Eckles, Elerick, Foley, Frudden, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were :

None.

Absent or not voting :

Senators Bruce, DeWolf, Dunham, Ericson, Gale, Gilliland, Hopkins, Jamison of Clarke, Jones, Stookey—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 Frudden, Senate File No. 58, a bill for an act providing that Section Six Hundred Fifty-four (654) of the Supplement to the Code and Section Six Hundred Seventy-two (672) of the Code, relating to the appointment and compensation of police matrons be made applicable to special charter cities, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Frudden moved the adoption of the following committee amendment:

Amend by inserting the words "the law as it appears in" after the word "of" in the first line of Section One (1), and before the words "Six Hundred" in said section.

Adopted.

The bill, as amended, was read for information.

Senator Frudden moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Crossley, DeArmand, Eckles, Elerick, Foley, Frudden, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmell, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—39.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, DeWolf, Dowell, Dunham, Ericson, Gale, Gilliland, Jamison of Clarke, Jones, Stookey—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 Turner leave of absence was granted Senator Clark until Monday.

On motion of Senator Peterson Senate File No. 69, a bill for an act to amend Section Three Thousand Five Hundred Twenty-nine (3529) of the Supplement to the Code, relating to the service of

original notice upon any corporation or person owning or operating any railway or canal, steamboat or other river craft, or any telegraph, telephone, stage, coach or car line, express company or foreign corporation, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Peterson moved the adoption of the following committee amendment:

Amend the title by adding after the word "amend" in the first line thereof the words "the law as it appears in".

Adopted.

Senator Peterson moved the adoption of the following committee amendment:

That Section One (1) be amended by adding after the word "that" in the first line the words "the law as it appears in."

Adopted.

The bill, as amended, was read for information.

Senator Young moved the time for adjournment be extended until the bill under consideration be disposed of and the Journal of yesterday be corrected.

Carried.

Senator Peterson moved that the rule be suspended, 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:

Senators Allen, Bleakly, Burgess, Crossley, DeArmand, Dowell, Eckles, Elerick, Foley, Frudden, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—37.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, DeWolf, Dunham, Ericson, Gale, Gilliland, Jamison of Clarke, Jones, Nichols, Smith of Des Moines, Stookey, Stuckslager—13.

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

Senator Maytag introduced the following motion and moved its adoption:

An error having been discovered in the corrected Journal of January 14th, of the omission of the word, "Committee," in the resolution offered by Senator Gale, I move that the Secretary be authorized to supply such omission for the permanent Journal.

Adopted.

Senator Smith of Mitchell moved that the Senate do now adjourn until 11:00 o'clock a. m. Monday.

Carried.

Senator Hughes moved to reconsider the vote by which the motion of Senator Smith of Mitchell relative to the time of adjournment prevailed.

Carried.

Senator Saunders moved to amend the motion of Senator Smith of Mitchell by making the time of adjournment 1:30 p. m., Monday.

Carried.

The motion, as amended, prevailed.

Senate stood adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, FEBRUARY 4, A. D. 1907.

Senate met in regular session at 1:30 o'clock p. m., President Garst presiding.

Prayer was offered by Rev. O. H. Holmes of Algona, Iowa.

On request of Senator Smith of Des Moines leave of absence was granted Senator McManus indefinitely on account of sickness.

On request of Senator Newberry leave of absence was granted Senator Dunham until tomorrow.

On request on Senator Stookey leave of absence was granted Senator Jamison of Clarke until tomorrow.

PETITIONS AND MEMORIALS.

Senator McKlveen presented petition of the Physicians' Club of Mason City, Iowa, urging the passage of a law regulating the manufacture and sale of patent medicines, and a bill providing for the registration and licensing of trained nurses.

Referred to Committee on Pharmacy.

INTRODUCTION OF BILLS.

By Senator Smith of Mitchell, Senate File No. 101, a bill for an act prescribing the method by which the capital stock of railroad corporations may be increased.

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

By Senator Smith of Mitchell, Senate File No. 102, a bill for an act making an appropriation to pay the additional employes of the Thirty-second General Assembly.

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

By Senator Elerick, Senate File No. 103, a bill for an act to amend Section Five Hundred Ninety-one (591) of the Code, relative to township clerks.

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

By Senator Smith of Des Moines, Senate File No. 104, a bill for an act to repeal Section Five (5) of Chapter Eighty-three (83) of the laws of the Thirty-first General Assembly, relating to levees built by the United States, and to enact a substitute therefor.

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

By Senator Nichols, Senate File No. 105, a bill for an act to amend Chapter Two (2) of Title Ten (10) of the Code, relating to United States levees, repealing Sections Four (4), Five (5) and Six (6) of Chapter Eighty-three (83), laws of the Thirty-first General Assembly, relating to United States levees, and enacting substitutes therefor.

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

By Senator Kinne, Senate File No. 106, a bill for an act relating to fish and game, and making appropriation for the Fish and Game Commission of the State of Iowa.

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

By Senator Wilson of Clinton, Senate File No. 107, a bill for an act to amend Section Two Thousand Five Hundred Fifty-one (2551) of the Supplement to the Code, relative to the protection of game.

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

By Senator Bleakly, Senate File No. 108, a bill for an act to legalize the action of the city council of Le Mars, Iowa, in allowing certain sums of money to the volunteer fire department of said city; in allowing certain sums of money to the Grand Army Post and instructor for a band, and in allowing to the members of the

council of said city a sum claimed to be in excess of that provided by law.

WHEREAS, Doubts have arisen as to the legality of the action of the city council of the city of Le Mars, Plymouth County, Iowa, in the allowance by said city council of certain sums of money, within the last five years, out of the funds of said city, to defray the expenses of the members of the fire department to state tournaments; in allowing to the G. A. R. Post of said city an amount of money to aid in the holding of a reunion in said city; in allowing sums of money for a band instructor, and in allowing to members of the city council of said city, as salary and for committee work, a sum claimed to be in excess of that provided by law.

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

By Senator Peterson, Senate File No. 109, a bill for an act to amend the law as it appears in Chapter One (1) Title IX (9) of the Code of 1897, relating to corporations for pecuniary profit.

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

By Senator Taylor, Senate File No. 110, a bill for an act making an appropriation for the erection of a monument at the Mount Gilead Cemetery, Davis County, Iowa, to perpetuate the memory of Nathan Winton, and providing the method of such erection.

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

By Senator Gilliland (by request), Senate File No. 111, a bill for an act relating to the organization and officers of cities and towns, amending Chapter Two (2), Title Five (5) of the Code, and of the law as it appears in the Supplement to the Code.

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

By Senator Gilliland (by request), Senate File No. 112, a bill for an act to amend Section One Thousand Three Hundred Seventy-three (1373) of the Code, relating to the correction of erroneous assessments.

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

By Senator Gilliland (by request), Senate File No. 113, a bill for an act relating to the Board of Public Works in certain cities, repealing Sections Eight Hundred Sixty-three (863) and

Eight Hundred Sixty-five (865) of the Code and enacting substitutes therefor, and amending Sections Eight Hundred Sixty-seven (867), Eight Hundred Seventy-one (871) and Eight Hundred Seventy-three (873) of the Code.

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

By Senator Gilliland (by request), Senate File No. 114, a bill for an act relating to the powers of local Boards of Health, amending Section Two Thousand Five Hundred Sixty-eight (2568) of the Code.

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

By Senator Gilliland (by request), Senate File No. 115, a bill for an act to provide for depositing funds of municipal corporations at interest.

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

By Senator Gilliland (by request), Senate File No. 116, a bill for an act to amend Paragraph Three (3) of Section Eight Hundred Ninety-four (894) of the Supplement to the Code, relating to the levy of a tax for a sewer fund.

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

By Senator Gilliland (by request), Senate File No. 117, a bill for an act to amend Section Three Thousand Four Hundred Forty-seven (3447) of the Code, relating to limitations of actions.

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

By Senator Saunders, Senate File No. 118, a bill for an act to empower County Agricultural Societies to condemn and take private property for the use and accommodation of the public in attendance at fairs.

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

By Senator Frudden, Senate File No. 119, a bill for an act to amend Chapter Fourteen (14) of Title V (5) of the Code, relating to the management of waterworks in special charter cities, having a population of thirty-five thousand (35,000) or more, and all

acts or parts of acts in so far as they conflict with this act shall not be applicable to any such cities.

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

By Senator Frudden, Senate File No. 120, a bill for an act to repeal Chapter Fifty-one (51) of the Acts of the Twenty-ninth General Assembly, relating to compensation of waterworks trustees in special charter cities having a population of thirty thousand (30,000) or more.

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

By Senator Frudden, Senate File No. 121, a bill for an act providing that Chapter Eight (8) of Title VI (6) of the Code, relating to removal of municipal officers, be made applicable to special charter cities.

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

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

WHEREAS, A bill to abolish the offices of State Printer and State Binder and provide for the letting of state printing and binding by the contract system has been introduced in this senate, and in order that the members of this body shall have the best information obtainable upon which to form their conclusions relative to the merits or demerits of the existing and proposed system, therefore,

Resolved, That the secretary of state is hereby requested to furnish to the committee on printing, as soon as practicable, a sample of each blank and all other jobs of printing and binding that have been done for the state during the past eighteen months, with the price paid for composition, press work, or other charges, marked on each sample, together with a statement showing the exact amount paid on each account for state printing and state binding for the biennial period ending June 30, 1905, and for the year ending June 30, 1906, said report to show the amounts paid direct to the State Printer and State Binder and also the amounts paid out by each of the state departments to other printers and binders, so far as is possible.

Resolved, That the printing committee is hereby authorized and empowered to make a thorough and complete investigation into all matters pertaining to printing and binding. They may require the appearance of any state official or deputy to give evidence under oath upon matters pertaining to said subject and may subpoena witnesses for the same purpose.

Adopted.

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. 1, a bill for an act to amend Section Three (3) of Chapter Fifty-six (56), Acts 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 indefinitely postponed, for the reason that it is identical with House File No. 2, heretofore reported by this committee for passage.

W. P. WHIPPLE,
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 House File No. 32, a bill for an act to amend Section One Thousand Seven Hundred and Ninety-four (1794) of the Code relating to Fraternal Accident 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 do pass.

W. P. WHIPPLE,
Chairman.

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. 16, a bill for an act to amend Section One Thousand Seven Hundred and Ninety-four of the Code, relating to Fraternal Accident 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 indefinitely postponed, it being identical with House File No. 32, heretofore recommended by this committee for passage.

W. P. WHIPPLE,
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. 22, a bill for an act to provide for the investment of the

funds of Fraternal Beneficiary Societies, Orders 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 striking out the words "Commissioner of Insurance" wherever they appear therein, and by inserting in lieu thereof the words Auditor of State.

And when so amended the bill do pass.

W. P. WHIPPLE,
Chairman.

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. 10, a bill for an act to amend Section One Thousand Three Hundred and Thirty-three-d (1333-d) 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 referred to the Committee on Ways and Means.

W. P. WHIPPLE,
Chairman.

Adopted.

So the bill was referred to the Committee on Ways and Means.

THIRD READING OF BILLS.

On motion of Senator Stookey, Senate File No. 29, a bill for an act legalizing the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the city council of Leon, Iowa, and legalizing all the acts, proceedings, and resolutions adopted or passed by the said city council in changing from the incorporated town of Leon, Iowa, to the incorporated city of Leon, Decatur County, Iowa, legalizing all the aforesaid proceedings as fully and effectually as if the law in every particular had been complied with in the passage of all said acts, proceedings and resolutions and publication thereof, if same had in any respect been omitted or neglected, and legalizing all the acts of the officials acting under said acts, ordinances, proceedings and resolutions.

WHEREAS, Doubts have arisen as to the legality of all the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the city council of Leon, Iowa, and the acts and elections of the incorporated city of Leon, Decatur county, Iowa, and doubts have also arisen in reference to the legality of all the acts and elections in the incorporated city of Leon, Iowa, itself, and doubts having arisen in reference to the legality of the acts of the city officials of the city of Leon, Iowa, acting as such officials; and,

WHEREAS, Doubts have also arisen in regard to the legality of the acts, proceedings, resolutions and ordinances adopted in regard to changing from the incorporated town of Leon, Iowa, to the city of Leon, Iowa; and

WHEREAS, The ordinances were not republished as readopted by the city council of Leon, Iowa, after its organization as a city of the second class; and,

WHEREAS, Doubts have arisen as to the legality of the adoption of the ordinances of the town of Leon, Iowa, by the city of Leon, Iowa; and,

WHEREAS, Certain supposed defects in the publication of certain ordinances adopted by the city council of Leon, Iowa, have arisen in regard to wrong numbering; and,

WHEREAS, Doubts have arisen in regard to the acts, resolutions and ordinances adopted by the city council of Leon, Iowa, dividing the said city into wards in changing from the incorporated town of Leon, Iowa, to a city of the second class. Now, therefore,

With report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stookey moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, Dowell, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, McKlveen, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators Bruce, DeWolf, Dunham, Ericson, Jamison of Clarke, Jones, McManus, Maytag—8.

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

Senator Elerick asked unanimous consent to have three hundred (300) extra copies of Senate File No. 39 printed.

Consent granted.

Senator Newberry asked unanimous consent to have three hundred (300) extra copies of Senate File No. 31 printed.

Consent granted.

On request of Senator Elerick, Senate File No. 53 was withdrawn from the Committee on Compensation of Public Officers.

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

Senator Elerick moved that the Senate do now adjourn until 10:00 o'clock a. m. tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, February 5, 1907.

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

Prayer was offered by the Rev. Jesse Cole, Chaplain Soldiers' Home of Marshalltown, Iowa.

On request of Senator Dowell, leave of absence was granted Senator Saunders until tomorrow.

INTRODUCTION OF BILLS.

By Senator Jamison of Clark, Senate File No. 122, a bill for an act to amend the law as it appears in Section Sixty-five (65) of the Supplement to the Code, and to amend Sections Eighty-eight (88), Eighty-nine (89) and One Hundred and Sixteen (116) of the Code, relating to the compensation of the Secretary of the Governor, the Deputy Secretary of State, the Deputy Auditor of State and the Deputy Treasurer of State.

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

By Senator DeArmand, Senate File No. 123, a bill for an act to repeal Section Four Thousand Nine Hundred and Sixty-nine (4969) of the Code, providing for the punishment of cruelty to animals, and to enact a substitute therefor.

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

By Senator Wilson of Clinton, Senate File No. 124, a bill for an act making an appropriation for the erection of a monument in Elmwood Cemetery, DeWitt, Iowa, in commemoration of memory of one John Lepper, and providing the method of such erection.

WHEREAS, The remains of one John Lepper, a soldier of the Revolutionary War, died in Clinton County, Iowa, in 1840, and his remains lie

buried in a field on the North-west Quarter (N. W. $\frac{1}{4}$) of the South-west Quarter (S. W. $\frac{1}{4}$) of Section One (1), Township Eighty-one (81), North Range Three (3) east of the 5th P. M., the exact location being unknown, with no stone or monument of any sort to mark the place of his sepulchre; and,

WHEREAS, At a meeting of the citizens of DeWitt, Iowa, called for the purpose of taking action relative to the formation of a "John Lepper Memorial Association" for the purpose of procuring the erection of a suitable monument in memory of said John Lepper, and at which meeting such an association was perfected, and officers elected to conduct the business thereof.

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

By Senator Allen, Senate File No. 125, a bill for an act to require railroads to stop passenger trains when signalled to do so.

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

By Senator Gale, Senate File No. 126, a bill for an act to amend Section One Thousand Four Hundred and Fifty-seven (1457), Title Seven (7), Chapter Three (3) of the Supplement to the Code.

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

REPORT OF COMMITTEE.

Senator Crossley, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 82, 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, beg leave to report that they 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.

THIRD READING OF BILLS BY UNANIMOUS CONSENT.

On motion of Senator Dowell, Senate File No. 82, a bill for an act to provide for the consolidations and change of boundaries of school districts in certain cities of the first class, and other purposes incident thereto, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Dowell moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Ericson, McManus, Saunders, Stirton—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 Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 71, a bill for an act to amend Sections Seven (7) and Eight (8), Chapter One Hundred and Sixty-six (166) of the Acts of the Thirty-first General Assembly, relating to the definition of the term "misbranded" and the method of labeling, beg leave to report that they 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. E. BRUCE,

Chairman.

BY UNANIMOUS CONSENT.

On motion of Senator Newberry, Senate File No. 71, a bill for an act to amend Sections Seven (7) and Eight (8), Chapter One Hundred Sixty-six (166) of the Acts of the Thirty-first General Assembly relating to the definition of the term "misbranded" and the method of labeling, with report of committee recommending

passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Newberry moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eekles, Elerick, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Ericson, McManus, Saunders, Stirton, Turner—6.

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 adopted the following concurrent resolution in which the concurrence of the Senate is asked:

Concurrent Resolution relative to the publishing and distribution of the Rules of the Thirty-second 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. 27, a bill for an act to amend Chapter Thirty-seven

(37), laws of the Thirty-first General Assembly, relating to the special election of township officers in newly created townships.

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. 38, a bill for an act to amend Section Three Hundred and Sixty (360) of the Code, when guarantee companies may be accepted as surety.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Bleakly, Senate File No. 22, a bill for an act to provide for the investment of the funds of fraternal beneficiary societies, orders or associations, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Bleakly moved the adoption of the following committee amendment:

Amend by striking out the words "commissioner of insurance" wherever they appear therein and by inserting in lieu thereof the words "auditor of state."

Adopted.

The bill as amended was read for information.

Senator Young offered the following amendment, and moved its adoption:

Amend sub-section Three (3) after the word "State" where it appears the second time, "or drainage bonds of any drainage district in the State of Iowa."

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, De-Armand, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gil-

lilland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Ericson, Gale, McManus, Saunders, Warren—6.

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

On motion of Senator Maytag, Senate File No. 49, a bill for an act to provide for the purchase of legislative references to and indexes of current legislation and making an appropriation therefor, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Maytag moved the adoption of the following committee amendment:

Amended by adding the word "The" before the words "Des Moines" in the second line, and by striking out the word "Daily" after the words "Des Moines" in the third line of the publication clause.

Adopted.

The bill as amended was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor,

Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Ericson, McManus, Saunders, Warren—5.

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

On motion of Senator Jamison of Clarke, House File No. 32, a bill for an act to amend Section One Thousand Seven Hundred Ninety-four (1794) of the Code, relating to fraternal accident associations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Jamison of Clarke moved that the rule be suspended, the reading just had be considered its third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Ericson, Kimmel, McManus, Saunders, Stook-ey, Warren—7.

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

HOUSE MESSAGES CONSIDERED.

House Concurrent Resolution, relative to the publishing and distribution of the rules of the Thirty-second General Assembly.

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

House File No. 27, a bill for an act to amend Chapter Thirty-seven (37), laws of the Thirty-first General Assembly, relating to the special election of township officers in newly created townships.

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

House File No. 38, a bill for an act to amend Section Three Hundred Sixty (360) of the Code, when guarantee companies may be accepted as surety.

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

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

Senator Wilson of Clinton moved that the Senate do now adjourn until 10:00 o'clock a. m. tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, FEBRUARY 6th, 1907.

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

Prayer was offered by the Rev. E. C. Wolcott of Arion, Iowa.

On request of Senator Bruce, leave of absence was granted Senator Crossley indefinitely.

INTRODUCTION OF BILLS.

By Senator Warren, Senate File No. 127, a bill for an act to amend Chapter One (1), Title IX (9) of the Code of 1897, relating to corporations for pecuniary profit and to provide a method for the approval of articles of incorporation.

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

By Senator Jamison of Clarke, Senate File No. 128, a bill for an act to amend Section One Thousand Seven Hundred and Forty-three (1743) of the Supplement to the Code, relative to the removal of goods and merchandise covered by insurance.

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

By Senator Turner, Senate File No. 129, a bill for an act making an appropriation for the salary and expenses of state agents and other expenses incurred under Chapter One Hundred and Eighty-one (181) of the acts of the Thirty-first General Assembly.

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

By Senator Turner, Senate File No. 130, a bill for an act amendatory to Section Three Hundred and Ninety-three (393) of the Code, relating to the administration of oaths.

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

By Senator Warren, Senate File No. 131, a bill for an act making an appropriation for the State Hospital for Inebriates at Knoxville.

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

By Senator Kinne, Senate File No. 132, a bill for an act to reimburse John F. Riggs, Superintendent of Public Instruction, for sums paid out by him on account of the State Educational Board of Examiners.

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

By Senator Dowell, Senate File No. 133, a bill for an act making an appropriation for the Industrial School for Girls.

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

By Senator Peterson, Senate File No. 134, a bill for an act making an appropriation for the Industrial School for Boys.

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

By Senator Stirton, Senate File No. 135, a bill for an act making an appropriation for the State Penitentiary at Anamosa.

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

By Senator Whipple, Senate File No. 136, a bill for an act to amend Section Fourteen (14) of Chapter One Hundred and Sixty-six (166) of the laws of the Thirty-first General Assembly, relating to the sale of canned goods.

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

By Senator Whipple, Senate File No. 137, a bill for an act making an appropriation for the College for the Blind at Vinton.

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

By Senator DeArmand, Senate File No. 138, a bill for an act making an appropriation for the Iowa Soldiers' Orphans' Home.

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

By Senator Saunders, Senate File No. 139, a bill for an act making an appropriation for the School for the Deaf at Council Bluffs.

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

By Senator Whipple (by request), Senate File No. 140, a bill for an act relating to the giving of bonds in relation to trust estates, and additional to Chapter Two (2), Title XVII (17) of the Code of Iowa.

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

By Senator Whipple (by request), Senate File No. 141, a bill for an act to repeal Section Five Thousand Four Hundred and Forty-eight (5448) of the Code, and enact a substitute therefor, relating to appeals to the Supreme Court in criminal cases.

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

By Senator Whipple (by request), Senate File No. 142, a bill for an act to amend Section Three Hundred and Sixty (360) of the Code, relating to guaranty companies.

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

By Senator Whipple (by request), Senate File No. 143, a bill for an act to amend Section Three Thousand Three Hundred and Six (3306) of the Code of Iowa, relating to nonresident executions.

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

By Senator Whipple (by request), Senate File No. 144, a bill for an act to repeal Section Four Thousand One Hundred and Ten (4110) of the Code, and enact a substitute therefor, relating to appeals to the Supreme Court in civil cases.

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

By Senator Moon, Senate File No. 145, a bill for an act to amend Section One Thousand Six Hundred and Ten (1610) of the Code,

relative to the exemption of Farmers' Mutual Telephone Association from the payment of incorporation fee.

Read first and second time and referred to Committee on Telegraph and Telephones.

By Senator Moon, Senate File No. 146, a bill for an act amending Section Five Thousand Three Hundred and Fourteen (5314) of the Code of Iowa of 1897 and providing for the compensation of attorneys appointed by the court to defend persons charged with certain crimes.

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

By Senator Bleakly, Senate File No. 147, a bill for an act making an appropriation for the Cherokee State Hospital.

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

By Senator Dunham, Senate File No. 148, a bill for an act relating to the consideration of appealed criminal cases by the Supreme Court.

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

By Senator Dunham, Senate File No. 149, a bill for an act making an appropriation for the Independence State Hospital.

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

By Senator Dunham, Senate File No. 150, a bill for an act relating to the reversal of appealed criminal cases by the Supreme Court.

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. 68, a bill for an act to amend Section Two Thousand Three Hundred and Forty-eight (2348) of the Code, relative to bounties on wild animals.

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 to amend Sections Two Thousand Four Hundred and Sixty-seven (2467) and Two Thousand Four Hundred and Sixty-eight (2468) of the Code, relative to a 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 Senate is asked:

House File No. 96, a bill for an act to amend Section Seven Hundred and Ninety-two of the Code, relating to street improvements and special assessments and conferring on incorporated towns the same power possessed by cities in respect 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. 59, a bill for an act to amend Chapter Sixty-eight (68) of the Laws of the Thirtieth General Assembly of Iowa, relative to the establishment of levees, ditches, drains and water-courses and to amend Sections Eleven (11) and Fourteen (14).

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. 32, a bill for an act making appropriation for 20,000 Railroad Commissioner's official maps to be distributed by the members of the General Assembly and Railroad Commissioners.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House File No. 68, a bill for an act to amend Section Two Thousand Three Hundred and Forty-eight (2348) of the Code, relative to bounties on wild animals.

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

House File No. 102, a bill for an act to amend Sections Two Thousand Four Hundred and Sixty-seven (2467) and Two Thousand Four Hundred and Sixty-eight (2468) of the Code, relative to a penalty for violations thereof.

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

House File No. 96, a bill for an act to amend Section Seven Hundred and Ninety-two (792) of the Code, relating to street improvements and conferring on incorporated towns the same power possessed by cities in respect thereto.

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

House File No. 59, a bill for an act to amend Chapter Sixty-eight (68) of the laws of the Thirtieth General Assembly of Iowa, relative to the establishment of levees, ditches, drains and water-courses and to amend Sections Eleven (11) and Fourteen (14).

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

Senate File No. 32, a bill for an act making an appropriation for Twenty Thousand (20,000) Railroad Commissioners' official maps to be distributed by the members of the General Assembly and Railroad Commissioners.

Passed on file.

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. 57, a bill for an act to establish a General 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.

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. 89, a bill for an act to amend Section Three Thousand One Hundred and Forty-one (3141) of the Code, relating to marriage license, beg leave to report that they have had the same under considera-

tion 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.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 56, a bill for an act prohibiting the wearing or use of buttons, badges, regalia or other insignia of certain orders and societies by those not members of such orders or societies, and providing a penalty therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

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. 9, a bill for an act entitled "An act to confirm the title of F. C. Lovrein in a strip of land on Section Fifteen, Township Ninety-three North, Range Thirty-four, West of the Fifth Principal Meridian, lying between the true south boundary line and the meandered south boundary line of Rat Lake in said section, and authorizing the Executive Council to quit claim said strip to him," beg leave to report that they 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. 64, a bill for an act to legalize certain actions of the Board of Supervisors of Appanoose County, Iowa, relating to Drainage District No. 1 of said county and the issuance of bonds for the payment of the expenses, costs, costs of construction and fees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 64.

A BILL for an act to legalize certain actions of the Board of Supervisors of Appanoose County, Iowa, relating to Drainage District No. 1 of said

county, and the issuance of bonds for the payment of the expenses, costs, costs of construction and fees.

WHEREAS, The Board of Supervisors of Appanoose County, Iowa, after due and legal service as to the pendency of the petition and as to the appraisalment of damages and the assessment of the costs, established Drainage District No 1 of said county and fixed the amount of damages to be paid to each of the parties entitled thereto on account of the construction of the improvement therein, and apportioned the costs, expenses, costs of construction and fees as provided by law; and, also,

WHEREAS, Said Board of Supervisors afterwards, after advertising as required by law and receiving sealed bids, awarded contracts to the lowest bidders; and, also,

WHEREAS, The work on said contracts has been commenced and a great portion thereof completed; and, also,

WHEREAS, The said Board of Supervisors changed the size of the ditch to be constructed from six (6) feet wide at the bottom to twenty (20) feet wide at the bottom, said change being made after the establishment of said district and the advertising and receiving bids, and being made on the recommendation of the engineer in charge and a new advertisement published for the receiving of bids for the construction of a ditch twenty feet wide at the bottom; and, also,

WHEREAS, The said Board has been unable to sell the bonds and procure the money necessary to complete said improvements; and, also,

WHEREAS, Unless said construction is completed at an early date the unfinished condition of said improvement will cause great damage to the lands affected at the time of the spring overflows, and said spring overflows will greatly damage said improvement and cause great loss to the said district; and, also,

WHEREAS, The said work of construction can be completed before said spring overflow if the said bonds can be sold; now, therefore,

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

SECTION 1. That all the actions of the Board of Supervisors of Appanoose County, Iowa, in establishing Drainage District No. 1 of said county, and in appraising the damages to the property owners therein, and in awarding the contracts for the construction of the improvements therein, and in making the levy of the special assessments against the lands and property benefited, and in the order for the issuance of drainage bonds and issuance thereof to the extent of Thirty Thousand (\$30,000) Dollars, be and the same are hereby legalized and declared to be legal, valid and binding on the Drainage District No. 1 to the same extent as though the law had been technically complied with in every respect. Provided, however, that nothing herein contained shall be construed to affect pending legislation.

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 Semi-Weekly Iowegian, newspapers published at Des Moines, Iowa, and Centerville, Iowa, said publications to be without expense to the State.

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

The substitute was read first and second time and 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. 54, a bill for an act to amend the law as it appears in Title Seven (7), Chapter Two (2), Section Number One Thousand Four Hundred and Thirty-two (1432), relating to certificates of purchase and providing for renewal of lost or destroyed certificates of purchase, beg leave to report that they have 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. 54

A BILL for an act relating to the assignment of certificates of purchase at tax sales, and providing for the issuance of duplicate certificates of purchase in case of loss or destruction of original, amending Section One Thousand Four Hundred and Thirty-two (1432) of the Code, repealing Section One Thousand Four Hundred and Thirty-three (1433) of the Code and enacting a substitute therefor.

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

SECTION 1. Section One Thousand Four Hundred and Thirty-two (1432) of the Code is hereby amended by adding thereto, after the word "describe," being the last word of said Section, the following, "and in case of loss of said certificate of purchase, the owner thereof, as appears on record, may, by filing an affidavit of such loss or destruction with the county treasurer, receive a duplicate thereof, which shall take the place of the original certificate and have the same force and effect in law and be subject to the same rules and regulations."

SEC. 2. Section One Thousand Four Hundred and Thirty-three (1433) of the Code is hereby repealed and the following is enacted in lieu thereof:

The certificate of purchase shall be assignable by endorsement and entry in the register of tax sales in the office of county treasurer of the county from which said certificate issued, and when such assignment is so entered in the register of tax sales in the treasurer's office, it shall vest in the assignee or his legal representative all the right and title of the assignor. The statement in the treasurer's deed of the fact of the assignment shall be presumptive evidence thereof.

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 Capital, newspapers published at Des Moines. And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

The substitute was read first and second time and passed on file.

Senator Stirton, from the Special Committee appointed to visit

the State Agricultural College at Ames, asked that the time for the filing of the Committee report be extended until February 15.

Consent granted.

Senator Newberry, from the special Committee appointed to visit the State University at Iowa City, asked that the time for the filing of the Committee report be extended until February 15.

Consent granted.

Senator Jamison of Clark asked unanimous consent to have Senate Files 12, 13, 14, 15 reprinted.

Consent granted.

THIRD READING OF BILLS.

On motion of Senator Allen, Senate File No. 9, a bill for an act entitled "an act to confirm the title of F. C. Lovrein in a strip of land on Section Fifteen (15), Township Ninety-three (93) North, Range Thirty-four (34) west of the Fifth (5th) Principal Meridian, lying between the true south boundary line and the meandered south boundary line of Rat Lake in said Section; and authorizing the Executive Council to quitclaim said strip to him," with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Allen moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting :

Senators Crossley, DeWolf, Ericson, McManus, Warren—5.

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.

The President instructed the Secretary to read the following communication :

Senators are requested to call the attention of their committee clerks to rule No. 29. It is designed to make an assignment each day by rotation for service at the Secretary's desk; excepting the committees having a large amount of work.

Senator Jamison of Clarke offered the following motion :

I move that the Secretary of the Senate be authorized to appoint a competent committee clerk to be paid the same as other committee clerks.

On the question "Shall the motion prevail?" a roll call was demanded.

The yeas were :

Senators Bleakly, Bruce, Burgess, DeArmand, Elerick, Foley, Frudden, Gale, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Lambert, McKlveen, Nichols, Saunders, Seeley, Smith of Des Moines, Stookey, Stuckslager, Taylor, Wade, Warren, Whiting, Wilson of Clinton—25.

The nays were :

Senators Allen, Clark, Dowell, Dunham, Gilliland, Hopkins, Hughes, Kimmel, Kinne, Mattes, Maytag, Moon, Newberry, Peterson, Smith of Mitchell, Stirton, Turner, Whipple, Wilson of Fayette, Young—20.

Absent or not voting :

Senators Crossley, DeWolf, Eckles, Ericson, McManus—5.

So 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 House has passed the following bill in which the concurrence of the Senate is asked :

House File No. 119, a bill for an act making an appropriation to defray expenses of inaugural ceremonies.

C. R. BENEDICT,
Chief Clerk.

Senator Elerick moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, FEBRUARY 7th, 1907.

Senate met in regular session at 10:00 o'clock a. m., President Garst presiding.

Prayer was offered by the Rev. V. E. Hall of McGregor, Iowa.

PETITIONS AND MEMORIALS.

Senator Kimmel presented petition of fifty voters of O'Brien County, favoring a liberal appropriation to the State Board of Health.

Referred to Committee on Appropriations.

Senator Gilliland presented petition of voters of Mills County, favoring a liberal appropriation to the State Board of Health.

Referred to Committee on Appropriations.

Senator Nichols presented petition of ninety-two voters of Muscatine County, favoring a liberal appropriation to the State Board of Health.

Referred to Committee on Appropriations.

Senator Clark presented petition of druggists of What Cheer protesting against the "Clark bill" or any bill with similar provisions.

Referred to Committee on Public Health.

Senator Kimmel presented petition of constituents urging the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Jamieson of Page, Senate File No. 151, a bill for an act making an appropriation for the Clarinda State Hospital.

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

By Senator Gilliland, Senate File No. 152, a bill for an act to repeal Section Twenty-eight Hundred and Fifty-five (2855) of the Code Supplement, and Twenty-eight Hundred and Nine (2809) of the Code and to enact substitutes therefor, and to amend Sections Twenty-eight Hundred and Eight (2808) of the Code Supplement and Twenty-eight Hundred and Fifty (2850) of the Code, relative to the handling of the principal and interest of the permanent school fund.

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

By Senator Seeley, Senate File No. 153, a bill for an act making an appropriation for the Mount Pleasant State Hospital.

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

By Senator Eckles, Senate File No. 154, a bill for an act to amend the law as it appears in Section Twenty-six Hundred and Eight (2608) of the Supplement to the Code, relating to the Soldiers' Home at Marshalltown.

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

By Senator Allen, Senate File No. 155, a bill for an act to amend the law as it appears in Section Thirty-four Hundred and Ninety-six (3496) of the Code, limiting the place in which actions may be brought upon contracts.

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

By Senator Allen, Senate File No. 156, a bill for an act to amend Chapter One Hundred Eighty-six (186) of the laws of the Thirtieth General Assembly, relating to meandered lake-beds, and enlarging the meaning of "a bona fide purchaser," under Section Seven (7) of said act.

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

By Senator Wilson of Fayette, Senate File No. 157, a bill for an act to repeal Section Twenty-five Hundred Ninety-three (2593) of the Code, and to enact a substitute therefor, relating to the practice of pharmacy.

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

By Senator Maytag, Senate File No. 158, a bill for an act making an additional appropriation to pay the remainder of the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, the Iowa Vicksburg Park Monument Commission and the Iowa Andersonville Prison Monument Commission, upon their joint visit to dedicate the monuments erected by the State of Iowa upon Southern battlefields and at Andersonville.

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

By Senator Jamison of Clarke, Senate File No. 159, a bill for an act to amend Chapter Six (6) of Title Nine (9) of the Code, relating to the distribution of dividends on stock in stock companies writing participating life insurance policies.

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

By Senator Warren, Senate File No. 160, a bill for an act to amend the law as it appears in Section One Hundred and Sixty-eight (168) and Section Twenty-six Hundred and Thirty-four-A (2634-A) of the Supplement to the Code, providing for furnishing the Educational Board of Examiners with supplies and printing and for the payment of the expenses of the Educational Board of Examiners.

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

HOUSE MESSAGE CONSIDERED.

House File No. 119, a bill for an act making an appropriation to defray expenses of inaugural ceremonies.

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

REPORT 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. 5, a bill for an act entitled "An act defining wife desertion and failure to support wife or family, providing punishment therefor, and permitting a husband or wife to be a witness in such cases," beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

1. By striking out Section 1 and substituting the following:

"SECTION 1. Every person who shall, without good cause, willfully neglect or refuse to maintain or provide for his wife, she being in a destitute condition, or who shall, without good cause, abandon his or her legitimate or illegitimate child or children under the age of sixteen years, leaving such child or children in a destitute condition, or shall, without good cause, willfully neglect or refuse to provide for such child or children they being in a destitute condition, shall be deemed guilty of desertion and, upon conviction, shall be punished by imprisonment in the penitentiary for not more than one year, or by imprisonment in the county jail for not more than six months."

2. Amend Section 2 of said bill by striking out the period at the end of said section, and adding thereto the following: "Provided, however, that no husband or wife shall be called or compelled to testify against the other under this act, except upon consent of such witness."

3. Amend Section 3 by striking from lines one (1) and two (2) the words "with defendant's consent," and the comma after the word "consent."

4. Amend Section 3 of said bill by striking from lines six (6) and seven (7) thereof, the words "with sureties to be approved by the clerk of said court," and by inserting in lieu thereof the words "with or without sureties as may be determined by the court."

5. Amend Section 3 by inserting before the word "child" and after the word "his" in the tenth line thereof, the words "or her."

6. Amend Section 5 by placing a comma after the word "shall" in the first line thereof, and follow with the words "unless otherwise ordered by the court," and placing after the word "court" a comma.

And when so amended the bill 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. 146, a bill for an act amending Section Five Thousand

Three Hundred and Fourteen (5314) of the Code of Iowa of 1897, and providing for the compensation of attorneys appointed by the court to defend persons charged with certain crimes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

1. That the title to said bill be amended by striking out the figures "5314" in the first line thereof, and inserting in lieu thereof the words and figures "Fifty-three Hundred Fourteen (5314)."

2. That the title to said bill be further amended by striking out of the first line the words "of Iowa of 1897."

3. That Section 1 be amended by striking out the figures "5314" in the third line thereof, and inserting in lieu thereof the words and figures "Fifty-three Hundred Fourteen (5314)."

4. That said Section 1 be further amended by striking out the words and figures "of 1897" in the third and fourth lines of said section.

5. That Section 2 be amended by striking out the words "in effect" at the beginning of said section.

And when so amended the bill 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 House File No. 102, a bill for an act to amend Sections Two Thousand Four Hundred and Sixty-seven (2467) and Two Thousand Four Hundred and Sixty-eight (2468) of the Code, relative to a penalty for violations 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 as follows:

That the title of said bill be amended to read as follows:

A bill for an act to amend Sections Two Thousand Four Hundred and Sixty-seven (2467) and Two Thousand Four Hundred and Sixty-eight (2468) of the Code, relating to fire companies, and providing a penalty for the violation of said sections.

And when so amended the bill 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 House File No. 38, a bill for an act to amend Section Three Hundred and Sixty (360) of the Code, when guaranty companies may be accepted as surety, beg leave to report that they have 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.

Senator Elerick, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 81, a bill for an act prohibiting the storage and transportation of powder or other explosives in coal mines while miners or other employes are working therein, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAMES ELERICK,

Chairman.

Ordered passed on file.

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

Mrs. Freda McCausland, Committee Clerk for Senator McManus, was transferred to duty at the Secretary's desk, as per resolution adopted yesterday.

REPORTS OF COMMITTEES.

Senator Warren, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate File No. 38, a bill for an act prohibiting any corporation doing business within the State, or any officer, agent or representative thereof, acting for such corporation, from giving or contributing any money, property, labor or thing of value, to any member of political committee, party or employe thereof, or to any candidate for any office, for campaign expenses or political purposes whatsoever, and prohibiting any member of any political committee, party or employe thereof, or any candidate for any office for soliciting, requesting or knowingly receiving any such contribution from any corporation for campaign expenses or political purpose whatsoever and providing 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 be amended as follows:

Amend Section One (1) by inserting the word "public" after the word "any" in the sixth line and before the word "office" in the seventh line thereof and by inserting after the word "office" and before the word "or" in the seventh line thereof the following: "Or candidate for nomination to any public office," and by striking out the period at the end of the section and inserting a comma in lieu thereof, and adding thereto the following:

“or to any person, partnership or corporation for the purpose of influencing or causing such person, partnership or corporation to influence any elector of the State to vote for or against any candidate for nomination for public office, or to any public office, for the purpose of influencing his official action.”

Amend Section Three (3) of the bill by striking out of the last line thereof the words “or produce any documentary evidence” and by inserting in lieu thereof the words “provided that he shall not be exempted from prosecution and punishment for perjury committed in so testifying,” and by inserting a comma after the word “testimony” in said line.

Amend the title by striking out the period following the word “whatsoever” in the seventh line thereof and inserting a comma in lieu thereof and adding after the word “whatsoever” and before the word “and” in the seventh line the following: “or to any person, partnership or corporation for the purpose of influencing or causing said person, partnership or corporation to influence any elector of the State to vote for or against any candidate for public office or candidate for nomination for any public office, or to any public officer, for the purpose of influencing his official action.”

And when so amended the bill do pass.

J. L. WARREN,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, 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. 86, a bill for an act to amend Section Four Thousand and Eleven (4011) of the Code, relating to the exemptions of personal earnings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be re-referred to the Committee on Judiciary on the ground that it embraces a subject not appropriate to the work of this committee.

JAS. A. SMITH,
Chairman.

Adopted.

So the bill was referred to the Committee on Judiciary.

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. 41, a bill for an act to provide for district sanitary 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 do pass.

HENRY YOUNG,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Allen, Senate File No. 54, a bill for an act to amend the law as it appears in Title Seven (7), Chapter Two (2), Section Number Fourteen Hundred and Thirty-two (1432), relating to certificates of purchase and providing for renewal of lost or destroyed certificates of purchase, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Allen moved that the committee substitute be substituted for the original bill.

Carried.

The bill was read for information.

Senator Allen moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—46.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Ericson, McManus, Smith of Mitchell—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 McKlveen, Senate File No. 41, a bill for an act to provide for district sanitary conventions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Dunham offered the following amendment, and moved its adoption:

Amend by inserting after the word "health" in the first line of Section Four (4) the following: "assisting in conducting said convention as provided in Section Three (3) hereof."

Adopted.

Senator Jones offered the following amendment, and moved its adoption:

Amend by striking out the word "Daily" in the publication clause.

Adopted.

The bill, as amended, was read for information.

Senator McKlveen moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whiting, Young—42.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Ericson, Lambert, McManus, Turner, Whipple, Wilson of Fayette, Wilson of Clinton—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. 60, a bill for an act which amends a law which appears as Chapter Sixty-eight (68) of the Laws of the Thirtieth General Assembly of Iowa, relative to the establishment of levees, drains, ditches and water-courses, and providing for the employment of counsel of the Board of Supervisors and for the defense of appeals, additional to Title Ten (10), Chapter Two (2) of the Code and Code Supplement and 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 passed the following bill in which the concurrence of the Senate is asked:

House File No. 21, a bill for an act to legalize the special election of the town of Greenfield, Iowa, held September 10, 1906, for erection of waterworks and sewers, and voting bonds 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. 131, a bill for an act to amend Section Four Hundred and Twenty-two (422) of the Code, relative to the power of boards of supervisors, and granting thereunto additional powers.

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. 70, a bill for an act to amend Section One Thousand Four Hundred and Thirty-two (1432) of the Code, relative to issuing duplicates of lost or destroyed tax sale certificates.

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 the purchase and

erection of a monument at the grave of the late ex-Governor William M. Stone, and making an appropriation therefor.

C. R. BENEDICT,
Chief Clerk

THIRD READING OF BILLS.

On motion of Senator Warren, Senate File No. 81, a bill for an act prohibiting the storage and transportation of powder or other explosives in coal mines, while miners or other employes are working therein, 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 offered the following amendment, and moved its adoption :

Amend Section Three (3) by striking out the word "chapter" at the end of the third line and insert in lieu thereof the word "act."

Adopted.

Senator Warren offered the following amendment, and moved its adoption :

That Section Four (4) be amended by striking out the word "chapter" in the first line thereof, and insert in lieu thereof the word "act."

Adopted.

Senator Warren offered the following amendment, and moved its adoption :

That the words "of Iowa" be stricken out of the second line of Section Four (4).

Adopted.

Senator Dunham offered the following amendment, and moved its adoption :

Strike out all of Section Four (4) after word "shall" and insert "be punished by fine not exceeding One Hundred Dollars or imprisonment in the county jail not exceeding thirty days."

Adopted.

The bill, as amended, was read for information.

Senator Warren moved that the rule be suspended, 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, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were:

Taylor—1.

Absent or not voting:

Senators Allen, DeWolf, Ericson, Jamison of Clarke, McManus, Smith of Des Moines—6.

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

REPORT OF COMMITTEE.

Senator Stuckslager, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate File No. 39, 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.

Anna McManus was sworn as committee clerk to Senator McManus to take the place of Freda McCausland, who was transferred to Secretary's desk.

Senator Smith of Mitchell moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER.

DES MOINES, IOWA, FRIDAY, FEBRUARY 8th, 1907.

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

Prayer was offered by the Rev. R. A. Quinn of Garner, Iowa.

On request of Senator Burgess, leave of absence was granted Senator Foley until tomorrow.

On request of Senator Mattes, leave of absence was granted Senator Maytag until tomorrow.

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

On request of Senator Stirton, leave of absence was granted Senator DeWolf until tomorrow.

INTRODUCTION OF BILLS.

By Senator McManus, Senate File No. 161, a bill for an act making an appropriation for the purchase of land, for a new cell house, for transportation of prisoners and for a contingent and repair fund for the State Penitentiary at Fort Madison.

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

By Senator Saunders, Senate File No. 162, a bill for an act to amend Section Three Thousand Nine Hundred and Fifty-five (3955) of the Code, and to provide for the issuance of an execution when an outstanding execution is lost or destroyed.

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

HOUSE MESSAGES CONSIDERED.

House File No. 60, a bill for an act which amends a law which appears as Chapter Sixty-eight (68) of the laws of the Thirtieth General Assembly of Iowa, relative to the establishment of levees, drains, ditches and water courses, and providing for the employment of counsel by the board of supervisors and for the defense of appeals, additional to Title Ten (10), Chapter Two (2) of the Code and Code Supplement and laws of the Thirtieth General Assembly.

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

House File No. 21, a bill for an act to legalize the special election of the town of Greenfield, Iowa, held September 10, 1906, for erection of waterworks and sewers and voting bonds therefor..

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

House File No. 131, a bill for an act to amend Section Four Hundred and Twenty-two (422) of the Code, relative to the power of boards of supervisors and granting thereunto additional powers.

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

House File No. 70, a bill for an act to amend Section One Thousand Four Hundred and Thirty-two (1432) of the Code, relative to issuing duplicates of lost or destroyed tax sale certificates.

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

House File No. 11, a bill for an act providing for the purchase and erection of a mounment at the grave of the late ex-Governor William M. Stone, and making an appropriation therefor.

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

REPORTS OF COMMITTEES.

Senator Smith of Mitchell, 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. 67, a bill for an act to amend Section Thirteen Hundred and Four (1304) of the Code, relative to the assessment of

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 be indefinitely postponed.

J. A. SMITH,
Chairman.

Adopted.

Senator Turner, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate File No. 154, a bill for an act to amend the law as it appears in Section Twenty-six Hundred and Eight (2608) of the Supplement to the Code, relating 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 do pass.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 32, a bill for an act making an appropriation for twenty thousand (20,000) Railroad Commissioners' official maps, to be distributed by the members of the General Assembly and Railroad Commissioners.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 32, a bill for an act making an appropriation for twenty thousand (20,000) Railroad Commissioners' official maps, to be distributed by the members of the General Assembly and Railroad Commissioners.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
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. 32, a bill for an act making an appropriation for twenty thousand (20,000) Railroad Commissioners' official maps, to be distributed by the members of the General Assembly and Railroad Commissioners.

W. B. SEELEY,
Chairman.

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. 24, a bill for an act to legalize acts of the city council of Mount Pleasant, Iowa, relative to the payment of its councilmen and appropriating money from its treasury for the sufferers from earthquake at San Francisco, California, beg leave to report that they have 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.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 130, a bill for an act amendatory to Section Three Hundred Ninety-three (393) of the Code, relating to the administration of oaths, beg leave to report that they have 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.

Senator Gilliland, 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. 120, a bill for an act to repeal Chapter Fifty-one (51) of the Acts of the Twenty-ninth General Assembly, relating to compensation of waterworks trustees, in special charter cities having a population of thirty thousand (30,000) or more, beg leave to report that they have 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. 120.

A BILL for an act to repeal the law as it appears in Section Nine Hundred and Fifty-five-A (955-A) of the Supplement to the Code, relating to compensation of waterworks trustees in special charter cities having a population of thirty thousand (30,000) or more.

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

SECTION 1. The law as it appears in Section Nine Hundred and Fifty-five-A (955-A) of the Supplement to the Code is hereby repealed.

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 Capital, newspapers published at Des Moines, Iowa.

And when so amended the bill do pass.

SHIRLEY GILLILLAND,
Chairman.

The substitute was read first and second time and ordered passed on file.

Senator Gilliland, 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. 121, a bill for an act to provide that Chapter Eight (8) of Title VI (6) of the Code, relating to removal of municipal officers be made applicable to 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 do pass.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

Senator Gilliland, 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. 48, a bill for an act to amend Section Seven Hundred and Ninety-two (792) of the Code, relating to street improvements and special assessments and conferring upon incorporated towns the same powers possessed by cities in respect 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.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

The President announced that he had signed, in the presence of the Senate, Senate File No. 32.

REPORT OF COMMITTEE.

Senator Gilliland, 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. 119, a bill for an act to amend Chapter Fourteen (14) of Title Five (5) of the Code, relating to the management of waterworks in special charter cities having a population of thirty-five thousand (35,000) or more, and all acts and parts of acts in so far as they conflict with this act shall not be applicable to any 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 be amended as follows: By inserting in the first line of the title following the word "chapter" and before the figures "14" the word "fourteen," and by inserting after the word "title" in the same line and before the letter "V" the word "five"; also by inserting in line fifteen of Section One (1), after the word "chapter" and before the figure "8" the word "eight"; and after the word "title" in the same line and before the letters "VI" the word "six"; also by inserting in line two (2) of Section Three (3), after the word "of" and before the figures "35,000" the words "thirty-five thousand," and when so amended the bill do pass.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Peterson, Senate File No. 38, a bill for an act prohibiting any corporation doing business within the state or any officer, agent or representative thereof acting for such corporation, from giving or contributing any money, property, labor or thing of value, to any member of any political committee, party or employe thereof, or to any candidate for any office, for campaign expenses or political purpose whatsoever. And prohibiting any member of any political committee, party or employe thereof, or any candidate for any office from soliciting, requesting or knowingly receiving any such contribution from any corporation for campaign expenses or political purpose whatsoever, and providing a penalty for the violation thereof, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Peterson moved the adoption of the following committee amendment:

Amend Section One (1) by inserting the word "public" after the word "any" in the sixth line and before the word "office" in the seventh line

thereof and by inserting after the word "office" and before the word "or" in the seventh line thereof the following: "Or candidate for nomination to any public office," and by striking out the period at the end of the section and inserting a comma in lieu thereof, and adding thereto the following: "or to any person, partnership, or corporation for the purpose of influencing or causing such person, partnership or corporation to influence any elector of the State to vote for or against any candidate for nomination for public office, or to any public officer, for the purpose of influencing his official action."

Adopted.

Senator Peterson moved the adoption of the following committee amendment:

Amend Section Three (3) of the bill by striking out of the last line thereof the words "or produce any documentary evidence" and by inserting in lieu thereof the words "provided that he shall not be exempted from prosecution and punishment for perjury committed in so testifying," and by inserting a comma after the word "testimony" in said line.

Adopted.

Senator Peterson moved the adoption of the following committee amendment:

Amend the title by striking out the period following the word "whatsoever" in the seventh line thereof and inserting a comma in lieu thereof and adding after the word "whatsoever" and before the word "and" in the seventh line the following: "or to any person, partnership or corporation for the purpose of influencing or causing said person, partnership or corporation to influence any elector of the State to vote for or against any candidate for public office or candidate for nomination for any public office, or to any public officer, for the purpose of influencing his official action."

Adopted.

Senator Dowell moved that further consideration of this bill be deferred for the present.

Carried.

Senator Peterson asked unanimous consent that the consideration of this bill be made a special order for next Tuesday at 10:30 o'clock A.M.

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 Senate is asked:

House File No. 81, a bill for an act to amend Section Five Hundred and Twenty (520) of the Code, in relation to the examination of witnesses by the coroner and to provide a reporter to be appointed by the coroner at inquests and investigations.

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. 95, a bill for an act to amend Section One (1), Chapter One Hundred and Twenty-two (122) of the laws of the Twenty-ninth General Assembly, relating to the support of the Iowa School for the Deaf at Council Bluffs.

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. 29, a bill for an act to amend Section Seven (7) of Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly, relating to registration of births and deaths.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House asks the recall of the following bill in which the concurrence of the Senate was asked:

House File No. 70, a bill for an act to amend Section Fourteen Hundred and Thirty-two (1432) of the Code, relative to issuing duplicates of lost or destroyed tax-sale certificates.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House File No. 81, a bill for an act to amend Section Five Hundred and Twenty (520) of the Code in relation to the examination of witnesses by the coroner and to provide a reporter to be appointed by the coroner at inquests and investigations.

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

House File No. 95, a bill for an act to amend Section One (1), Chapter One Hundred and Twenty-two (122) of the laws of the

Twenty-ninth General Assembly, relating to support of the Iowa School for the Deaf at Council Bluffs.

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

House File No. 29, a bill for an act to amend Section Seven (7) of Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly, relating to registration of births and deaths.

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

House asks the recall of House File No. 70, a bill for an act to amend Section One Thousand Four Hundred and Thirty-two of the Code, relative to issuing duplicates of lost or destroyed tax sale certificates.

Senator Dunham moved that the House request be granted.

Carried.

THIRD READING OF BILLS.

On motion of Senator Eckles, Senate File No. 154, a bill for an act to amend the law as it appears in Section Two Thousand Six Hundred and Eight (2608) of the Supplement to the Code, relating to the Soldiers' Home at Marshalltown, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Mattes moved that the bill be referred to the Committee on Appropriations.

The motion was lost.

The bill was read for information.

Senator Mattes raised the point of order that the bill should have been referred to the Committee on Appropriations instead of the Committee on Military.

The President ruled that the point of order was not well taken for the reason that the objection should have been made when the bill was introduced.

Senator Eckles moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Frudden, Gilliland, Hopkins, Hughes, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McKlveen, McManus, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Foley, Gale, Jackson, Maytag, Lambert, Wade—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 Frudden, Senate File No. 121, a bill for an act to provide that Chapter Eight (8) of Title VI (6) of the Code, relating to removal of municipal officers, be made applicable to special charter cities, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Frudden moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, Dowell, Eckles, Elerick, Ericson, Frudden, Gilliland, Hopkins, Hughes, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McKlveen, McManus, Mattes, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—39.

The nays were:

None.

Absent or not voting :

Senators DeArmand, DeWolf, Dunham, Foley, Gale, Jackson, Lambert, Maytag, Moon, Nichols, Smith of Mitchell—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 Frudden, Senate File No. 120, a bill for an act to repeal Chapter Fifty-one (51) of the acts of the Twenty-ninth General Assembly, relating to compensation of waterworks trustees in special charter cities having a population of thirty thousand (30,000) or more, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Frudden moved that the committee substitute be substituted for the original bill.

Carried.

Senator Frudden moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Frudden, Gilliland, Hughes, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were :

None.

Absent or not voting :

Senators DeArmand, DeWolf, Foley, Gale, Hopkins, Jackson, Maytag—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 Frudden, Senate File No. 119, a bill for an

act to amend Chapter Fourteen (14) of Title V (5) of the Code, relating to the management of waterworks in special charter cities having a population of thirty-five thousand (35,000) or more, and all acts or parts of acts in so far as they conflict with this act shall not be applicable to any such cities, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Frudden moved the adoption of the following committee amendments:

Amend as follows: By inserting in the first line of the title following the word "chapter" and before the figures "14" the word "fourteen," and by inserting after the word "title" in the same line and before the letter "V" the word "five"; also by inserting in line fifteen of Section One (1), after the word "chapter" and before the figure "8" the word "eight" and after the the word "title" in the same line and before the letters "VI" the word "six," also by inserting in line two (2) of Section Three (3), after the word "of" and before the figures "35,000" the words "thirty-five thousand."

Adopted.

The bill as amended was read for information.

Senator Frudden moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dunham, Elerick, Ericson, Frudden, Gilliland, Hopkins, Hughes, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Dowell, Eckles, Foley, Gale, Jackson, Maytag, Moon, Wade, Young—10.

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

Senator Dunham offered the following resolution and moved its adoption :

Resolved, That the Secretary of the Senate be instructed to provide a calendar as soon as practicable and from time to time thereafter of all bills on third reading and all joint and concurrent resolutions in the order in which they are reported from the standing committees.

Adopted.

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, SATURDAY, FEBRUARY 9th, 1907.

Senate met in regular session at 10:00 o'clock a. m., President Garst presiding.

Prayer was offered by the Rev. A. R. Grant of Audubon, Iowa.

Senator Saunders moved that when the Senate adjourn it be until 1:30 p. m. Monday.

Senator Hughes moved to amend the motion by changing the time to 1:00 o'clock p. m.

The amendment was lost.

The original motion prevailed.

On request of Senator Hughes leave of absence was granted Senator Kimmel until Monday.

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

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

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

On request of Senator Stirton leave of absence was granted Senator Lambert until Monday.

On request of Senator Stirton leave of absence was granted Senator Smith of Des Moines until Monday.

On request of Senator Frudden leave of absence was granted Senator Stueckslager until Monday.

On request of Senator Stookey leave of absence was granted Senator Jamison of Clarke until Monday.

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

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

On request of Senator Young leave of absence was granted Senator Allen until Monday.

INTRODUCTION OF BILLS.

By Senator Turner, Senate File No. 163, a bill for an act amendatory to Section Two Thousand Nine Hundred Forty-two (2942) of the Code, relating to acknowledgment of conveyances or incumbrances.

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

By Senator McManus, Senate File No. 165, a bill for an act to amend Section Two Thousand Four Hundred and Fifty-six (2456) of the Code, relating to the manufacture, transportation and sale of intoxicating liquors.

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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 amending Section Seventeen Hundred Ninety-four (1794) of the Code, relative to Fraternal Accident Associations.

M. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

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, House File No. 2, a bill for an act to amend the law which appears as Chapter Fifty-six (56), Acts of the Thirtieth General Assembly, relating to examination of insurance companies.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

Chairman House Committee.

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 adopted the following Concurrent Resolution, in which the concurrence of the Senate is asked:

HOUSE CONCURRENT RESOLUTION.

WHEREAS, There was reported in the House of Representatives of the United States (S. 5133) upon January eleventh, nineteen Hundred and seven, an Act passed by the Senate of the United States entitled "An act to promote the safety of employes and travelers upon railroads by limiting the hours of service of employes thereof;" and

WHEREAS, The interests of travelers upon railroads of the United States and of the employes thereon demand the speedy enactment into law of this measure; therefore, be it

Resolved by the House, the Senate concurring, of the State of Iowa, that the Representatives in Congress from the State of Iowa be requested to use their votes and influence to secure an immediate favorable report upon, and the passage of said act (S. 5133), entitled "An act to promote the safety of employes and travelers upon railroads by limiting the hours of service of employes thereof;" be it further

Resolved, That one copy of this resolution be sent to the Speaker of the House of Representatives of the United States, one copy to the Chairman of the Committee on Interstate and Foreign Commerce of said House, and to each member of Congress from 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. 71, a bill for an act to amend the law as it appears in Section Seven (7) and Eight (8) of Chapter One Hundred Sixty-six (166) of the Acts of the Thirty-first General Assembly, relating to the definition of the term "misbranded," and the method of labeling.

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. 22, a bill for an act to provide for the investment of the funds of Fraternal Beneficiary Societies, Orders or 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. 42, a bill for an act to repeal Section Four Hundred Twelve (412) of the Code and to enact a substitute therefor, relating to the time of holding meetings 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. 72, a bill for an act to amend Section Forty-three Hundred Forty-one (4341) of the Code, relating to actions of mandamus.

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 to amend Section Eleven Hundred Seventy-seven (1177) of the Code, relative to the time of qualifying for 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. 111, a bill for an act to define and punish lewd, immoral and lascivious acts and to provide penalty 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. 41, a bill for an act to provide for the payment of a bounty for the destruction of pocket gophers, and to levy a tax for such bounty.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

Senate File No. 71, a bill for an act to amend the law as it appears in Sections Seven (7) and Eight (8) of Chapter One Hundred and Sixty-six (166) of the Acts of the Thirty-first Gen-

eral Assembly, relating to the definition of the term "misbranded" and the method of labeling.

Passed on file.

Senate File No. 22, a bill for an act to provide for the investment of the funds of fraternal beneficiary societies, orders or associations.

Passed on file.

House File No. 42, a bill for an act to repeal Section Four Hundred and Twelve (412) of the Code and to enact a substitute therefor, relating to the time of holding meetings of the Board of Supervisors.

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

House File No. 72, a bill for an act to amend Section Four Thousand Three Hundred and Forty-one (4341) of the Code, relating to actions of mandamus.

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

House File No. 178, a bill for an act to amend Section One Thousand One Hundred and Seventy-seven (1177) of the Code, relative to the time of qualifying for office.

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

House File No. 111, a bill for an act to define and punish lewd, immoral and lascivious acts and to provide penalty therefor.

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

House File No. 41, a bill for an act to provide for the payment of bounty for the destruction of pocket gophers and to levy a tax for such bounty.

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

House Concurrent Resolution, relative to National legislation to limit the hours of service of railroad employees.

Senator Young moved that the Senate concur in the House Concurrent Resolution.

Carried.

REPORT OF COMMITTEE.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House File No. 119, a bill for an act making an appropriation to defray the expenses of the inaugural ceremonies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by inserting the word “the” before the words “Des Moines” in the third line, and striking out the word “Daily” in the publication clause; and when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

THIRD READING OF BILLS BY UNANIMOUS CONSENT.

On motion of Senator Maytag, House File No. 119, a bill for an act making an appropriation to defray the expenses of the inaugural ceremonies, with report of committee recommending passage as amended, was taken up; considered, and the report of the committee adopted.

Senator Maytag moved the adoption of the following amendment:

Amend by inserting the word “the” before the word “Des Moines” in the third line and striking out the word “Daily” in the publication clause.

Adopted.

The bill, as amended, was read for information.

Senator Maytag 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:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Eckles, Elerick, Erierson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jamieson of Page, Jamison of Clarke, Jones, Kinne, McKlveen, McManus, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whiting, Wilson of Clinton, Young—38.

The nays were:

None.

Absent or not voting :

Senators Allen, DeWolf, Dunham, Jackson, Kimmel, Lambert, Mattes, Wade, Whipple, Smith of Des Moines, Smith of Mitchell, Wilson of Fayette—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 Clark, from the Committee on Federal Relations, submitted the following report :

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 2, a joint resolution of the Thirty-second General Assembly of the State of Iowa, making application to the Congress of the United States, to call a convention for proposing amendments to the Constitution of the United States, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

E. W. CLARK,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report :

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 102, a bill for an act making an appropriation to pay the additional employes of the Thirty-second General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report :

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 97, 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-second 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 be amended by inserting in Section One (1) the name and amount of F. M. Hopkins—\$19.35; also by correcting in the same section the initials of "G. W." Kinne to

"George" Kinne, and the initials of "L. W." Taylor to "L. L." Taylor; and when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Kinne, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 88, a bill for an act to amend Chapter Two (2) of Title Eight (8) of the Supplement to the Code, relating 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.

GEO. KINNE,
Chairman.

Ordered passed on file.

Senator Kinne, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 34, a bill for an act relating to road tax and amending Section Fifteen Hundred and Twenty-eight (1528) of the Code and 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.

GEO. KINNE,
Chairman.

Ordered passed on file.

By unanimous consent, Senator Jamieson of Page offered the following Concurrent Resolution, and moved its adoption:

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That a Joint Session of the House and Senate be held at 1:30 o'clock on Tuesday afternoon, February 12th, and that the Hon. W. J. Bryan be invited to address the joint convention.

Adopted.

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. 55, a bill for an act to prohibit and regulate hospitals, institutions and places, created for or maintained and used as lying-in or maternity hospitals, or hospitals 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 amended as follows:

That Section Four (4) of said bill be amended as follows:

1. By adding after the word "register" in the second line the words "of all patients and".

2. By adding after the word "date" in the third line thereof the words "of entry of each patient, date".

3. By striking out after the word "birth" in the fourth line thereof the words "and the name and age of the mother," and inserting in lieu thereof the words "and name".

That Section Four (4) be further amended by adding thereto the following:

"The State Board of Health shall furnish blanks to all permit holders specified in this act and to be filled out and returned to the State Board of Health within twenty-four hours after the birth or death of any child or death of any woman patient dying on the premises described in such permit, giving date of birth and sex of each child born on said premises and name and age of the mother, and if the true name of the mother cannot be ascertained then the assumed name given by her, and the age and sex of all children dying on said premises. And the State Board of Health shall keep a record of same, which record shall be accessible to the members of the State Board of Health, members of the Board of Control of State Institutions, the Attorney General and any County Attorney in the State, and to no other person except on order of a court of record."

That Section Six (6) of said bill be amended by striking out all of said section after the word "purpose" in the sixth line thereof, and by placing a period after the said word "purpose."

And when so amended the bill 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. 108, a bill for an act to legalize the action of the City Council of Le Mars, Iowa, in allowing certain sums of money to the Volunteer Fire Department of said city; in allowing certain sums of money to the Grand Army Post and Instructor for a Band, and in allowing to the members of the council of said city a sum claimed to be in excess of that provided by law, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

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 Substitute for House File No. 21, a bill for an act to legalize the special election of the Town of Greenfield, Iowa, held September 10, 1906, for erection of waterworks or sewers, and voting bonds therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. 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 Senate File No. 90, a bill for an act to amend Section Thirty-one Hundred and 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 amended by adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 90.

A BILL for an act to amend Section Thirty-one Hundred and Eighty-one (3181) of the Code, relating to divorces and marriage of divorced persons.

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

SECTION 1. Section Thirty-one Hundred and Eighty-one (3181) of the Code is hereby amended by adding thereto after the period following the word "marriage" at the end of said section, the following:

"In every case in which a divorce is decreed, neither party shall marry again within one year from the date of the filing of said decree, provided, however, that nothing herein contained shall prevent the persons divorced from re-marrying each other. Any person marrying contrary to the provisions of this act shall be deemed guilty of a misdemeanor and punished accordingly."

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

The substitute was read first and second time and 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. 162, a bill for an act to amend Section Three Thousand Nine Hundred Fifty-five (3955) of the Code, and to provide for the issuance of an execution when an outstanding execution is lost or de-

stroyed, beg leave to report that they have 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 adding after the word "execution" in the ninth line thereof, the words, "which shall have the same force and effect as the original execution."

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS BY UNANIMOUS CONSENT.

On motion of Senator Crossley, substitute for House File No. 21, a bill for an act to legalize the special election of the town of Greenfield, Iowa, held September 10, 1906, for erection of waterworks or sewers, and voting bonds therefor, was taken up and considered.

The substitute was read for information.

Senator Crossley 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:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jones, Kinne, McKlveen, McManus, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Stirton, Stookey, Taylor, Turner, Warren, Whiting, Wilson of Clinton, Young—36.

The nays were:

None.

Absent or not voting:

Senators Allen, DeWolf, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Lambert, Mattes, Smith of Des Moines, Smith of Mitchell, Stuckslager, Wade, Whipple, Wilson of Fayette—14.

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

On motion of Senator Maytag, Senate File No. 97, 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-

second General Assembly to visit the several State institutions, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Maytag moved the adoption of the following amendments:

Amend by inserting in Section One (1) the name and amount of F. M. Hopkins—\$19.35; also by correcting in the same section the initials of "G. W." Kinne to "George" Kinne, and the initials of "L. W." Taylor to "L. L." Taylor.

Adopted.

The bill, as amended, was read for information.

Senator Maytag moved that the rule be suspended, 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, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jamison of Clarke, Jones, Kinne, McKlveen, McManus, Maytag, Moon, Nichols, Peterson, Saunders, Seeley, Stirton, Stookey, Taylor, Turner, Warren, Whiting, Wilson of Clinton, Young—36.

The nays were:

None.

Absent or not voting:

Senators Allen, DeWolf, Jackson, Jamieson of Page, Kimmel, Lambert, Mattes, Newberry, Smith of Des Moines, Smith of Mitchell, Stuckslager, Wade, Whipple, Wilson of Fayette—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 Seeley, Senate File No. 24, a bill for an act to legalize acts of the city council of Mount Pleasant, Iowa, relative to the payment of its councilmen and appropriating money from its treasury for the sufferers from earthquake at San Francisco, California, with report of committee recommending indefinite postponement, was taken up, considered and the report of the committee adopted.

So the bill was indefinitely postponed.

On motion of Senator Saunders, Senate File No. 162, a bill for an act to amend Section Three Thousand Nine Hundred and Fifty-five (3955) of the Code, and to provide for the issuance of an execution when an outstanding execution is lost or destroyed, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Saunders moved the bill be amended as follows:

That Section One (1) be amended by adding after the word "execution" in the ninth line thereof, the words "which shall have the same force and effect as the original execution."

Adopted.

The bill as amended was read for information.

Senator Saunders moved that the rule be suspended, 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, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jones, Kinne, McKlveen, McManus, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Stirton, Stookey, Taylor, Warren, Whiting, Wilson of Clinton, Young—35.

The nays were:

None.

Absent or not voting:

Senators Allen, DeWolf, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Lambert, Stuckslager, Turner, Wade, Whipple, Wilson of Fayette, Mattes, Smith of Des Moines, Smith of Mitchell—15.

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

On motion of Senator Maytag, Senate File No. 102, a bill for an act making an appropriation to pay the additional employes of the Thirty-second General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Maytag moved that the rule be suspended, 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, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jamieson of Page, Kinne, Mc-Klveen, McManus, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Stirton, Stookey, Taylor, Turner, Whiting, Wilson of Clinton, Young—35.

The nays were:

None.

Absent or not voting:

Senators Allen, DeWolf, Jackson, Jamison of Clarke, Jones, Kimmel, Lambert, Mattes, Smith of Des Moines, Smith of Mitchell, Stuckslager, Wade, Warren, 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.

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

The President announced that he had signed, in the presence of the Senate, House Files No. 2 and No. 32.

THIRD READING OF BILLS BY UNANIMOUS CONSENT.

On motion of Senator Dowell, Senate File No. 55, a bill for an act to prohibit and regulate hospitals, institutions and places, created for or maintained and used as lying-in or maternity hospitals, or hospitals or places for the reception, care and treatment of women in labor, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Dowell moved the adoption of the following:

1. By adding after the word "register" in the second line the words "of all patients and."

Adopted.

Senator Dowell moved the adoption of the following amendment to Section Four (4).

2. By adding after the word "date" in the third line thereof the words "of entry of each patient, date."

Adopted.

Senator Dowell moved the adoption of the following amendment:

3. By striking out after the word "birth" in the fourth line thereof the words "and the name and age of the mother," and inserting in lieu thereof the words "and name."

Adopted.

Senator Dowell moved the adoption of the following amendment:

That Section Four (4) be further amended by adding thereto the following:

"The State Board of Health shall furnish blanks to all permit holders specified in this act and to be filled out and returned to the State Board of Health within twenty-four (24) hours after the birth or death of any child or death of any woman patient dying on the premises, and name and age of the mother, and if the true name of the mother cannot be ascertained, then the assumed name given by her, and the age and sex of all children dying on said premises. And the State Board of Health shall keep a record of same, which record shall be accessible to the members of the State Board of Health, members of the Board of Control of State Institutions, the Attorney General, and any County Attorney in the State, and to no other person except on order of a court of record."

Adopted.

Senator Dowell moved the adoption of the following amendment:

That Section Six (6) of said bill be amended by striking out all of said section after the word "purpose" in the sixth line thereof, and by placing a period after the word "purpose."

Adopted.

The bill, as amended, was read for information.

Senator Dowell moved that the rule be suspended, 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, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden,

Gilliland, Hopkins, Hughes, Jamieson of Page, Jones, Kinne, McKlveen, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Stirton, Stookey, Taylor, Turner, Warren, Whiting, Wilson of Clinton, Young—34.

The nays were:

None.

Absent or not voting:

Senators Allen, DeWolf, Gale, Jackson, Jamison of Clarke, Kimmel, Lambert, McManus, Mattes, Saunders, Smith of Des Moines, Smith of Mitchell, Stuckslager, Wade, Whipple, Wilson of Fayette—16.

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

Senator Elerick moved that the Senate do now adjourn.

Carried.

Senate adjourned until 1:30 o'clock p. m. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, FEBRUARY 11, 1907.

Senate met in regular session at 1:30 o'clock P.M., President Garst presiding.

Prayer was offered by the Rev. D. D. Proper of Des Moines, Ia.

On request of Senator Maytag, leave of absence was granted Senator Mattes until tomorrow.

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

On request of Senator Smith of Des Moines, leave of absence was granted Senator Lambert until tomorrow.

On request of Senator Stookey, leave of absence was granted Senator Jamison of Clarke until tomorrow.

On request of Senator Stookey, leave of absence was granted Senator Whipple until tomorrow.

PETITIONS AND MEMORIALS.

Senator Bleakly presented the following petition of the Ida County Corn Belt Meat Producers' Association:

Resolved, That the delays in transporting live stock over the railroads to the live stock markets, and the slowness of the trains carrying live stock are occasions of great loss to the shippers and should be immediately remedied; therefore, we ask our State and the Interstate Railroad Commissioners to compel the railroads to operate trains carrying live stock at, at least, the same rate of speed and with the same consideration for delivering them at their destination as they now transport cars laden with dressed meats.

Resolved, That our Railroad Commissioners request the railroads operating in Iowa to show cause why a passenger rate of two cents per mile should not prevail in the State, and failing to comply with such request within a reasonable time, or failing to convince the Commissioners that reasonably good passenger service cannot be maintained

at such rate, the Commissioners be requested to recommend the passage of a law in this State reducing the passenger rate within the State to two cents per mile.

Senator Frudden presented petition of members of the Dubuque County Medical Society endorsing the bill known as the Pure Food and Drug Bill.

Referred to Committee on Pharmacy.

Senator Saunders presented petition of physicians of Pottawattamie County endorsing House File No. 45, to regulate the manufacture and sale of patent medicines.

Referred to Committee on Pharmacy.

INTRODUCTION OF BILLS.

By Senator Stookey, Senate File No. 166, a bill for an act to amend the law as it appears in Section One Thousand Five Hundred and Thirty (1530) of the Supplement to the Code, by removing the semicolon after the word "council" in the twelfth line and by inserting after said word "council" "and the county treasurer shall pay to the city or town treasurer said fund."

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

By Senator McManus, Senate File No. 167, a bill for an act to make Chapter Forty-eight (48) of the Acts of the Twenty-eighth General Assembly in relation to the keeping of a record of delinquent taxes applicable to cities acting under special charter.

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

By Senator McManus, Senate File No. 168, a bill for an act providing for purchase and erection of a monument in memory of the Indian Chief Black Hawk and at the point of the first military post in the State of Iowa, and making an appropriation therefor.

WHEREAS, The city of Fort Madison, in Lee County, Iowa, stands on the site of Fort Madison, a military post erected in 1808, and which was the only point marked on the maps of the country west of the Mississippi river and north of St. Charles, Missouri, at that time; and the said site being now unmarked; and,

WHEREAS, The memory of the Indian Chief, Black Hawk, who was prominently identified with the early history of Iowa, is not commemorated by any monument or any other suitable memorial.

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

By Senator Saunders, Senate File No. 171, a bill for an act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of any corporation, joint stock association, copartnership or individual, which said statements or publications are intended to give, or shall have a tendency to give, a less or greater apparent value to the shares, bonds or property or any part thereof of said corporation, joint stock association, copartnership or individual than the said shares, bonds, or property shall really and in fact possess, and providing a penalty therefor.

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

By Senator Gilliland, Senate File No. 172, a bill for an act making an appropriation for the Institution for Feeble Minded Children at Glenwood.

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

By Senator Crossley, Senate File No. 169, a bill for an act relating to State documents and publications, and amending Section One (1), Chapter Five (5) of the Acts of the Thirtieth General Assembly of the State of Iowa.

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

By Senator Hughes, Senate File No. 170, a bill for an act to prohibit the trapping, shooting or killing of quails.

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

REPORT OF COMMITTEE.

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. 63, a bill for an act to repeal Sections Four Thousand Nine Hundred and Forty-six-b (4946-b), Four Thousand Nine Hundred and Forty-six-c (4946-c), Four Thousand Nine Hundred and Forty-six-d (4946-d) and Four Thousand Nine Hundred and Forty-six-e (4946-e) of the Supplement to the Code, relating to the disposition of unclaimed

dead bodies, providing for their use for anatomical purposes, and providing penalties for violation, and to enact in lieu thereof the following, beg leave to report that they 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 Young, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred House File No. 29, a bill for an act to amend Section Seven (7) of Chapter One Hundred and Nine (109) of the laws of the Thirty-first (31st) General Assembly, relative to registration of births and deaths, beg leave to report that they 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 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. 25, a bill for an act to repeal Section Three (3) of Chapter One Hundred and One (101) of the laws of the Thirtieth (30th) General Assembly, and Sections One (1) and Two (2) of Chapter One Hundred and Thirteen (113) of the laws of the Thirty-first (31st) General Assembly, relative to establishing and maintaining a State Board of Health Laboratory at Iowa City, and enacting in lieu thereof the following, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that they heartily endorse the same and now ask it to be referred to the Appropriations Committee.

HENRY YOUNG,
Chairman.

Adopted.

So the bill was referred to the Committee on Appropriations.

THIRD READING OF BILLS.

On motion of Senator McKlveen, Senate File No. 40, a bill for an act to amend the law as it appears in Section Four Thousand Two Hundred and Ninety-five (4295) of the Code, relating to assignment, release and satisfaction of mortgages on the margin of the record, and indexing of same, and providing for a fee therefor, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

On motion of Senator Jones, Senate File No. 89, a bill for an act to amend Section Three Thousand One Hundred and Forty-one (3141) of the Code, relating to marriage license, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

On motion of Senator Taylor, Senate File No. 64, a bill for an act to legalize certain actions of the Board of Supervisors of Appanoose County, Iowa, relating to Drainage District No. 1 of said County and the issuance of bonds for the payment of the expenses, costs, costs of construction and fees, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee, with substitute, adopted.

The substitute was read for information.

Senator Taylor moved that the committee substitute be substituted for the original bill.

Carried.

Senator Taylor moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jamieson of Page, Jones, Kimmel, Kinne, McKlveen, McManus, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

None.

Absent or not voting:

Senators Bruce, Jackson, Jamison of Clarke, Lambert, Mattes, Maytag, Nichols, Stuckslager, Wade, Whipple—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 DeArmand, Senate File No. 57, a bill for an act to establish a General District 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.

On motion of Senator DeArmand, Senate File No. 56, a bill for an act prohibiting the wearing or use of buttons, badges, regalia or other insignia of certain orders and societies by those not members of such orders or societies, and providing a penalty therefor, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

On motion of Senator Dowell, House File No. 102, a bill for an act to amend Sections Two Thousand Four Hundred and Sixty-seven (2467) and Two Thousand Four Hundred and Sixty-eight (2468) of the Code, relative to a penalty for violations thereof, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Gilliland moved that the bill be re-referred to the Committee on Judiciary.

Carried.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 71, a bill for an act to amend the law as it appears in Sections Seven (7) and Eight (8) of Chapter One Hundred and Sixty-six (166) of the Acts of the Thirty-first General Assembly, relating to the definition of the term "misbranded" and the method of labeling.

Also:

Senate File No. 22, a bill for an act to provide for the investment of the funds of fraternal beneficiary societies, orders or associations.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 71, a bill for an act to amend the law as it appears in Sections Seven (7) and Eight (8) of Chapter One Hundred and Sixty-six (166) of the Acts of the Thirty-first General Assembly, relating to the definition of the term "misbranded" and the method of labeling.

Also:

Senate File No. 22, a bill for an act to provide for the investment of the funds of fraternal beneficiary societies, orders or associations.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

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. 71, a bill for an act to amend the law as it appears in Sections Seven (7) and Eight (8) of Chapter One Hundred and Sixty-six (166) of the Acts of the Thirty-first General Assembly, relating to the definition of the term "misbranded" and the method of labeling.

Also:

Senate File No. 22, a bill for an act to provide for the investment of the funds of fraternal beneficiary societies, orders or associations.

W. B. SEELEY,

Chairman.

Adopted.

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 adopted the following Concurrent Resolution in which the concurrence of the House was asked:

Concurrent Resolution relative to holding joint session Tuesday, February 12th, at 1:30 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 bill in which the concurrence of the Senate is asked:

House file No. 114, a bill for an act to legalize certain acknowledgements and administrations of oaths.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Dowell, House File No. 38, a bill for an act to amend Section Three Hundred and Sixty (360) of the Code, when guaranty companies may be accepted as surety, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

On motion of Senator Elerick, Senate File No. 39, 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.

On motion of Senator Clark, Senate File No. 48, a bill for an act to amend Section Seven Hundred and Ninety-two (792) of the Code, relating to street improvements and special assessments and conferring upon incorporated towns the same powers possessed by cities in respect thereto, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

On motion of Senator Turner, Senate File No. 130, a bill for an act amendatory to Section Three Hundred Ninety-three (393) of the Code, relating to the administration of oaths, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

On motion of Senator Crossley, Senate File No. 34, a bill for an act relating to road tax and amending Section 1528 of the Code and Supplement to the Code, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

On motion of Senator Bleakly, Senate File No. 108, a bill for an act to legalize the action of the City Council of Le Mars, Iowa, in allowing certain sums of money to the Volunteer Fire Department of said city; in allowing certain sums of money to the Grand Army Post and instructor for a band, and in allowing to the members of the council of said city a sum claimed to be in excess of that provided by law, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

On motion of Senator Taylor, Senate File No. 88, a bill for an act to amend Chapter Two (2) of Title Eight (8) of the Supplement to the Code, relating 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, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

On motion of Senator Moon, Senate File No. 146, a bill for an act amending Section Five Thousand Three Hundred and Fourteen (5314) of the Code of Iowa of 1897 and providing for the compensation of attorneys appointed by the court to defend persons charged with certain crimes, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Moon moved the adoption of the following amendment:

1. That the title of said bill be amended by striking out the figures "5314" in the first line thereof, and inserting in lieu thereof the words and figures "Fifty-three Hundred Fourteen (5314)."

2. That the title to said bill be further amended by striking out of the first line the words "of Iowa of 1897."

3. That Section One (1) be amended by striking out the figures "5314" in the third line thereof, and inserting in lieu thereof the words and figures "Fifty-three Hundred Fourteen (5314)."

4. That said Section One (1) be further amended by striking out the words and figures "of 1897" in the third and fourth lines of said section.

5. That Section Two (2) be amended by striking out the words "in effect" at the beginning of said section.

Adopted.

On request of Senator Moon the bill was passed and retained its place on the Calendar.

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

The President announced that he had signed, in the presence of the Senate, Senate File No. 22 and Senate File No. 71.

Senator Ericson moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, FEBRUARY 12, 1907.

Senate met in regular session at 10:00 o'clock a. m., President Garst presiding.

Prayer was offered by the Rev. Sherman Hill of Centerville, Iowa.

On request of Senator Stookey leave of absence was granted Senator Jamison of Clarke until tomorrow.

On request of Senator Smith of Des Moines leave of absence was granted Senator Lambert until tomorrow, on account of sickness.

PETITIONS AND MEMORIALS.

Senator Foley presented petition of Gardner Post, No. 90, G. A. R., urging the passage of a bill prohibiting all games on Memorial Day.

Referred to Committee on Judiciary.

Senator Hughes presented petition of ninety-one constituents, urging the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Dunham presented two petitions of constituents, urging the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Seeley presented petition of citizens of Salem, Iowa, requesting the passage of a bill reducing passenger rates on all roads in Iowa to two cents.

Referred to Committee on Railroads.

Senator Young presented petition of citizens of Dayton, Iowa, favoring a greater appropriation to the State Board of Health.

Referred to Committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Eckles, Senate File No. 173, a bill for an act making an appropriation for the Iowa Soldiers' Home.

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

By Senator Taylor, Senate File No. 174, a bill for an act to repeal Section Twenty-nine Hundred and Thirty-four (2934) of the Code, and to enact a substitute therefor, in relation to filing, indexing and recording deeds and other instruments unconditionally conveying real estate.

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

By Senator Jamieson of Page, Senate File No. 175, a bill for an act to amend the law as it appears in Section Two Hundred and Fifty-five (255) of the Supplement to the Code relating to Superior Courts.

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

By Senator Ericson, Senate File No. 164, a bill for an act to amend the law as it appears in Section Three (3), Chapter Fourteen (14), Acts of the Thirty-first General Assembly, granting township trustees power to contract for use of public libraries.

Read first and second time and referred to Committee on Public Libraries.

By Senator Gilliland, Senate File No. 176, a bill for an act establishing an Agricultural and Manual Training School, providing for the management, control and operation thereof, creating a board of trustees therefor, establishing courses of study therein, and making appropriations for the creation and support thereof.

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

HOUSE MESSAGES CONSIDERED.

Senate Concurrent Resolution relative to holding Joint Session Tuesday, February 12th, at 1:30 p. m.

Passed on file.

House File No. 114, a bill for an act to legalize certain acknowledgments and administrations of oaths.

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. 42, a bill for an act to repeal Section Four Hundred and Twelve (412) of the Code and to enact a substitute therefor, relating to the time of holding 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.

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 Senate File No. 66, a bill for an act to amend Section Three Thousand One Hundred and Eighty (3180) of the Code, relating to judgments in divorce 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 indefinitely postponed.

C. C. DOWELL,
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. 178, a bill for an act to amend Section Eleven Hundred Seventy-seven (1177) of the Code, relative to the time of qualifying for 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 indefinitely postponed.

C. C. DOWELL,
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. 68, a bill for an act to amend Section Two Thousand Three Hundred Forty-eight (2348) of the Code, relative to bounties on wild 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.

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 Senate File No. 163, a bill for an act amendatory to Section Twenty-nine Hundred and Forty-two (2942) of the Code, relating to acknowledgment of conveyances or incumbrances, beg leave to report that they have 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.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 79, a bill for an act to amend Section Thirty-six Hundred and Eighty-eight (3688) of Chapter Nine (9) of 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 by adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 79.

A BILL for an act to amend Section Thirty-six Hundred Eighty-eight (3688) of the Code, relating to challenge of jurors for cause.

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

SECTION 1. That Section Thirty-six Hundred Eighty-eight (3688) of the Code be amended by adding thereto the following:

"11. When a common carrier is a party, and a juror has accepted or used since July Fourth (4th), Nineteen Hundred and Six (1906), any free ticket, free pass, or free transportation from such common carrier."

And when so amended that the bill do pass.

C. C. DOWELL,
Chairman.

The substitute was read first and second time and 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. 102, a bill for an act to amend Sections Two Thousand Four Hundred Sixty-seven (2467) and Two Thousand Four Hundred Sixty-eight (2468) of the Code, relative to a penalty for violations 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 adopting the following substitute:

SUBSTITUTE FOR HOUSE FILE NO. 102.

A BILL for an act to amend Sections Twenty-four Hundred Sixty-seven (2467) and Twenty-four Hundred Sixty-eight (2468) of the Code, relating to fire companies, and providing for a penalty for the violation of said sections.

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

SECTION 1. Section Twenty-four Hundred Sixty-seven (2467) of the Code is hereby amended by striking out all after the period in the fifth line of said section, and by inserting in lieu thereof the following: "Any person violating the provisions of this section shall be guilty of a misdemeanor and shall be punished by a fine not exceeding One Hundred Dollars (\$100.00), or by imprisonment in the County Jail not exceeding Thirty (30) days."

SEC. 2. Section Twenty-four Hundred Sixty-eight (2468) of the Code is hereby amended by striking out at the beginning of said section the words "If any," and by inserting in lieu thereof the word "No."

By inserting after the word "persons" in the first line of said section the word "shall."

By striking out all after the word "cause" in the third line of said section, and by placing a period after the word "cause," and by adding the following words: "Any person violating the provisions of this section shall be guilty of a misdemeanor and shall be punished by a fine not exceeding One Hundred Dollars (\$100.00), or by imprisonment in the county jail not exceeding Thirty (30) days."

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

The substitute was read first and second time and passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 158, a bill for an act making an additional appropriation to pay the remainder of the expenses of the members of the

Iowa Shiloh Battlefield Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, the Iowa Vicksburg Park Monument Commission, and the Iowa Andersonville Prison Monument Commission, upon their joint visit to dedicate the monuments erected by the State of Iowa upon Southern battlefields and at Andersonville, beg leave to report that they 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. L. MAYTAG,
Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Printing, to whom was referred House Concurrent Resolution relative to the printing of the Rules of the Thirty-second General Assembly for distribution, beg leave to report that they have 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 words and figures "Fifteen Hundred (1500)" in the third and fourth lines be stricken out and the words and figures "One Thousand (1000)" be added in lieu thereof, and the words and figures "Thirteen Hundred (1300)" in the ninth and tenth lines be stricken out and the words and figures "Eight Hundred (800)" be inserted in lieu thereof.

And when so amended the House Concurrent Resolution do pass.

J. H. ALLEN,
Chairman.

On motion of Senator Allen, House Concurrent Resolution relative to the printing of the Rules of the Thirty-second General Assembly for distribution, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Allen moved the adoption of the following amendments:

That the words and figures "Fifteen Hundred (1500)" in the third and fourth lines be stricken out and the words and figures "One Thousand (1000)" be added in lieu thereof, and the words and figures "Thirteen Hundred (1300)" in the ninth and tenth lines be stricken out and the words and figures "Eight Hundred (800)" be inserted in lieu thereof.

Adopted.

The House Concurrent Resolution, as amended, was read for information.

Senator Allen moved that the House Concurrent Resolution, as amended, be concurred in.

Adopted.

Senator Smith of Mitchell offered the following Concurrent Resolution, which was laid over under the rules:

Resolved by the Senate, the House concurring, That when we adjourn Thursday, February 28, it be until 10 a. m. Tuesday, March 5, 1907.

Senator Peterson asked unanimous consent that Senate File No. 38 be taken up at 10:20 instead of 10:30 o'clock.

Consent granted.

The time having arrived for the special order, Senate File No. 38, a bill for an act prohibiting any corporation doing business within the State, or any officer, agent or representative thereof, acting for such corporation, from giving or contributing any money, property, labor or thing of value, to any member of any political committee, party or employe thereof, or to any candidate for any office, for campaign expenses or political purpose whatsoever. And prohibiting any member of any political committee, party or employe thereof, or any candidate for any office from soliciting, requesting or knowingly receiving any such contribution from any corporation for campaign expenses or political purpose whatsoever, and providing a penalty for the violation thereof, was taken up and considered.

By unanimous consent, the last amendment to Section One (1) was corrected to read as follows:

"Or to any person, partnership, or corporation for the purpose of influencing or causing such person, partnership or corporation to influence any elector of the state to vote for or against any candidate for public office or candidate for nomination to any public office, or to any public officer for the purpose of influencing his official action."

The bill, as amended, was read for information.

Senator Saunders offered the following amendment, and moved its adoption:

Amend by striking out the word "labor" in Section One (1), line three (3).

On the question, "Shall the amendment prevail?" a roll call was demanded.

The yeas were:

Senators Bruce, Crossley, DeArmand, Dowell, Ericsen, Foley, Gale, Jones, McKlveen, Mattes, Maytag, Saunders, Stuckslager, Warren—14.

The nays were:

Senators Allen, Bleakly, Burgess, DeWolf, Dunham, Eckles, Elerick, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—31.

Absent or not voting:

Senators Clark, Jamison of Clarke, Lambert, McManus, Smith of Des Moines—5.

So the amendment was lost.

Senator Peterson moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—47.

The nays were:

None.

Absent or not voting:

Senators Jamison of Clarke, Lambert, Smith of Des Moines—3.

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

On motion of Senator Moon, Senate File No. 146, a bill for an act amending Section Five Thousand Three Hundred and Fourteen (5314) of the Code of Iowa of 1897 and providing for the compensation of attorneys appointed by the court to defend per-

sons charged with certain crimes, was taken up for further consideration.

The bill, as amended, was read for information.

Senator Moon moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericsen, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators Gale, Hopkins, Jamison of Clarke, Lambert, Turner—5.

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 119, in which the concurrence of the House was asked, a bill for an act making an appropriation to defray the expense of the inaugural ceremonies.

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. 220, a bill for an act to repeal Sections Two Thousand Seventy-six (2076) and Two Thousand Seventy-seven (2077) of the Code

and to enact substitutes therefor relative to classification of railroads and passenger transportation charges thereby.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate File No. 5, a bill for an act entitled an act defining wife desertion and failure to support wife or family, providing punishment therefor, and permitting a husband or wife to be a witness in such cases, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Smith of Mitchell moved the adoption of the following amendment:

Amend by striking out Section One (1) and substituting the following:
"SECTION 1. Every person who shall, without good cause, willfully neglect or refuse to maintain or provide for his wife, she being in a destitute condition, or who shall, without good cause, abandon his or her legitimate or illegitimate child or children under the age of sixteen years, leaving such child or children in a destitute condition, or shall, without good cause, willfully neglect or refuse to provide for such child or children they being in a destitute condition, shall be deemed guilty of desertion and, upon conviction, shall be punished by imprisonment in the penitentiary for not more than one year, or by imprisonment in the county jail for not more than six months.

Adopted.

Senator Smith of Mitchell moved the adoption of the following amendment:

Amend Section Two (2) of said bill by striking out the period at the end of said section, and adding thereto the following: "Provided, however, that no husband or wife shall be called or compelled to testify against the other under this act, except upon consent of such witness."

Adopted.

Senator Smith of Mitchell moved the adoption of the following amendment:

Amend Section Three (3) by striking from lines one (1) and two (2) the words "with defendant's consent," and the comma after the word "consent."

Adopted.

Senator Smith of Mitchell moved the adoption of the following amendment:

Amend Section Three (3) of said bill by striking from lines six (6) and seven (7) thereof, the words "with sureties to be approved by the clerk of said court," and by inserting in lieu thereof the words "with or without sureties as may be determined by the court."

Adopted.

Senator Smith of Mitchell moved the adoption of the following amendment:

Amend Section Three (3) by inserting before the word "child" and after the word "his" in the tenth line thereof, the words "or her."

Adopted.

Senator Smith of Mitchell moved the adoption of the following amendment:

Amend Section Five (5) by placing a comma after the word "shall" in the first (1st) line thereof, and follow with the words "unless otherwise ordered by the court," and placing after the word "court" a comma.

Adopted.

The bill, as amended, was read for information.

Senator Saunders moved the adoption of the following amendment:

Amend Section One (1) as amended by the committee by striking out the word "or" in the fourth (4th) line of said Section One (1), after the word "legitimate" and inserting after the word "illegitimate" in the same line the words "or legally adopted."

Adopted.

Senator Hughes moved that the time of adjournment be extended until the completion of the bill and the correction of the Journal.

Carried.

Senator Whipple moved the adoption of the following amendment to the title of said bill:

Amend the title by striking out the word "wife" in the first (1st) line and the words "and failure to support wife or family" in the second line thereof.

Senator Smith of Mitchell moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Eriscon, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators Frudden, Jamison of Clarke, Lambert, Nichols, Turner—5.

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 Jamieson of Page moved that the Senate do now adjourn until 1:25 o'clock p. m.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:25 o'clock p. m., President Garst presiding.

A committee from the House 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 Hon. William Jennings Bryan.

JOINT CONVENTION.

Joint Convention was called to order by Lieutenant Governor Garst, President of the Joint Convention.

Senator Jamieson of Page moved that a committee of five be appointed to escort W. J. Bryan to the Speaker's station.

Motion prevailed.

President Garst appointed as such committee: Senators Jamieson of Page, Wilson of Clinton, and Representatives Miller of Bremer, Price of Warren and Geneva of Keokuk.

W. J. Bryan appeared, escorted by the committee, and addressed the Joint Convention.

On motion of Senator Wilson of Clinton, the Joint convention was dissolved.

Senate returned from Joint Convention.

Senator Saunders moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, FEBRUARY 13, A. D. 1907.

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

Prayer was offered by the Rev. A. C. Snowberger of Des Moines, Iowa.

On request of Senator Gilliland, leave of absence was granted Senator Whipple until tomorrow.

PETITIONS AND MEMORIALS.

Senator Wilson of Fayette presented petition of constituents asking the passage of a law prohibiting C. O. D. shipments of whiskey into this State.

Referred to Committee on Suppression of Intemperance.

Senator Eckles presented petition of citizens of Marshall county asking the General Assembly to make an appropriation for the Benedict Home of Des Moines, Iowa.

Referred to Committee on Appropriations.

Senator Moon presented petition of citizens of Ottumwa, Iowa, urging an additional appropriation to the State Board of Health for the benefit of its Bacteriological Laboratory.

Referred to Committee on Public Health.

Senator Allen presented petition of the Mitchell County Agricultural Society asking that the law be so changed that the President and Vice-President of the State Board of Agriculture be elected annually by representatives to the annual meeting of the State Board of Agriculture; also that the directors on the board representing the several congressional districts be elected by the districts they represent.

Referred to Committee on Agriculture.

Senator Allen presented petition of physicians of Alta, Iowa, favoring the passage of a law regulating the manufacture and sale of patent medicines.

Referred to Committee on Public Health.

Senator Allen presented petition of the Rolfe Poultry Association of Rolfe, Iowa, urging the passage of House File No. 35, a bill to legalize the Iowa State Poultry Association.

Referred to Committee on Agriculture.

Senator DeArmand presented petition of manufacturers and jobbers of Davenport requesting the passage of a law compelling railroads to give a joint rate on all shipments within the state.

Referred to Committee on Railroads.

Senator Frudden presented remonstrance of Hustlers' Camp No. 3300, Modern Woodmen of America, against the passage of the proposed law making a minimum rate for fraternal insurance societies.

Referred to Committee on Insurance.

Senator Hughes presented petition of sixty-six citizens urging the passage of Senate File No. 93, known as the Anti-Pass Bill. Also urging the passage of a two cent railroad fare bill.

Referred to Committee on Railroads.

Senator Hughes presented petition of forty-nine constituents favoring the passage of Senate File No. 93, known as the Anti-Pass Bill. Also favoring the passage of a two cent railroad fare bill.

Referred to Committee on Railroads.

INTRODUCTION OF BILLS.

By Senator Seeley, Senate File No. 177, a bill for an act to amend Section Three (3), Chapter One Hundred and Eighty-five (185) of the acts of the Thirty-first General Assembly, relative to increasing the agricultural extension work and making an annual appropriation therefor.

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

By Senator DeWolf, Senate File No. 178, a bill for an act to prevent the adulteration and misbranding of drugs; and repealing Sections Four Thousand Nine Hundred and Eighty-three (4983), Four Thousand Nine Hundred and Eighty-five (4985), Four Thousand Nine Hundred and Eighty-six (4986) and Five Thousand and Nine Hundred and Eighty-eight (5988); and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.

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

By Senator Stookey, Senate File No. 179, a bill for an act to amend the law as it appears in Section Four Hundred and Forty-one (441) of the Supplement to the Code by adding thereto and further providing who shall be considered a "bona fide yearly subscriber" in the event of a contest.

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

HOUSE MESSAGES CONSIDERED.

House concurred in Senate amendments to House File No. 119, a bill for an act making an appropriation to defray the expenses of the inaugural ceremonies.

Passed on file.

House File No. 220, a bill for an act to repeal Sections Two Thousand and Seventy-six (2076) and Two Thousand and Seventy-seven (2077) of the Code and to enact substitutes therefor relative to classification of railroads and passenger transportation charges thereby.

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

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. 35, a bill for an act limiting the commencement of actions for the recovery 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 be indefinitely postponed.

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 validate and legalize the consolidation of the Dunleith and Dubuque Bridge Company, a corporation created under the laws of the State of Illinois, with the Dunleith and Dubuque Bridge Company, a corporation created under the laws of the State of Iowa, and validating and legalizing all rights and franchises exercised under said consolidation by said Iowa corporation, and all corporate acts and proceedings of the said Iowa corporation since the consolidation of the said Illinois corporation with it, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same 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. 98, a bill for an act to empower the State Educational Board of Examiners to validate teachers' certificates issued in other States, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out Section Two (2), and when so amended the bill do pass.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

Senate substitute for House File No. 102, a bill for an act to amend Sections Twenty-four Hundred and Sixty-seven (2467) and Twenty-four Hundred Sixty-eight (2468) of the Code, relating to fire companies, and providing for a penalty for the violation of said sections, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Hughes was called to the chair at 10:15 o'clock.

Senator Dowell moved that the committee substitute be substituted for the original bill.

Carried.

Senator Dowell 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:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—48.

The nays were:

None.

Absent or not voting:

Senators Maytag, Whipple—2.

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

Senator Saunders asked that the House be requested to return House File No. 42.

Granted.

Senate File No. 90, a bill for an act to amend Section Thirty-one Hundred and Eighty-one (3181) of the Code, relating to divorces and marriage of divorced persons, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Jones moved that the committee substitute be substituted for the original bill.

Carried.

The substitute was read for information.

Senator Jones moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Clark, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—39.

The nays were:

Senators Bruce, Crossley, Jamison of Clarke—3.

Absent or not voting:

Senators DeArmand, DeWolf, Gale, Hopkins, Lambert, McManus, Smith of Des Moines, Whipple—8.

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

Senate Joint Resolution No. 2, joint resolution of the Thirty-second General Assembly of the State of Iowa making application to the Congress of the United States to call a convention for proposing amendments to the Constitution of the United States, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The joint resolution was read for information.

Senator Smith of Mitchell moved that the rule be suspended, the joint resolution be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, "Shall the joint resolution pass?"

The yeas were:

Senators Allen, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Ericson, Foley, Frudden, Gale, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

Senators Bleakly, Dunham, Gilliland, Jamison of Clarke, Jones, Stookey—6.

Absent or not voting:

Senators Elerick, McManus, Nichols, Whipple—4.

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

The following explanations of vote were filed:

MR. PRESIDENT—I wish to have incorporated in the Journal the following, as an explanation of my vote upon the joint resolution for a Constitutional Convention:

I vote "No" upon that proposition for the following reasons:

First: Because I am not in sympathy with the proposition to remove from the choice of the United States Senator the safeguard devised by the framers of the Constitution to insure the cool judgment of the people in choosing the members for the smaller body of the National Congress.

Second: I believe it is bad policy, if not unsafe, to call a convention to amend or revise the Constitution with no check upon its deliberation at a time when the country is unsettled on so many important questions of varying interests to its different sections.

Third: Because the Senators representing the State of Iowa have always been an honor to the State and the action of the State in taking the lead in this matter, if not considered as a criticism of its representation in the Senate, will appear as unsolicited intermeddling with the affairs of our sister States, and Iowa, under all existing circumstances, should stand as guarding rather than attacking the Constitution.

GEO. W. DUNHAM.

I am in favor of election of United States Senators by the people, but not in favor of Constitutional Convention as proposed.

W. G. JONES.

I vote "No" upon the joint resolution for the following reasons:

First: I cannot subscribe to the statement contained in the first paragraph of the preamble.

Second: Such a demand coming from the General Assembly of the State of Iowa may be construed as a reflection upon the quality of the men which the present system has sent from this State to the upper house of the National Congress.

Third: I am not ready to concede that better material would be selected by a direct vote of the people than that which has been chosen by the present method.

Fourth: I am opposed to the calling of conventions to amend the Constitution except in cases of the most urgent necessity. In my opinion no such "urgent necessity" now exists.

JOHN L. BLEAKLY.

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. 7, a bill for an act to regulate the transportation of dead bodies, and the practice of embalming, and to provide for examination and license of embalmers, and to provide penalties for violation.

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. 44, a bill for an act to provide for the compilation of the laws of the Thirtieth, Thirty-first and Thirty-second General Assemblies and the laws as they appear in the Code Supplement; to annotate the same and the Code and rules of the Supreme Court to and including the May term, 1907, of the Supreme Court, and to publish the said compilations as a "Supplement to the Code, 1907," and to provide for the appointing of a supervising committee and establish a salary for the editor of such Supplement to the Code and making an appropriation therefor.

C. R. BENEDICT,
Chief Clerk.

On request of Senator Young, Senate File No. 63 was passed and retained its place on the Calendar.

THIRD READING OF BILLS.

House File No. 29, a bill for an act to amend Section Seven (7) of Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly, relative to registration of births and deaths, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the bill be referred to the Committee on Appropriations.

Carried.

On motion of Senator Dowell, Senate File No. 163, a bill for an act amendatory to Section Two Thousand Nine Hundred and Forty-two (2942) of the Code, relating to acknowledgment of conveyances or incumbrances, 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. 79, a bill for an act to amend Section Three Thousand Six Hundred and Eighty-eight (3688) of Chapter Nine (9), Title Eighteen (18) of the Code, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Dowell moved that the substitute be substituted for the original bill.

Carried.

Senator Dowell moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators Hopkins, Jamison of Clarke, McManus, Smith of Mitchell, Whipple—5.

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

Senate File No. 158, a bill for an act making an additional appropriation to pay the remainder of the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, the Iowa Vicksburg Park Monument Commission, and the

Iowa Andersonville Prison Monument Commission, upon their joint visit to dedicate the monuments erected by the State of Iowa upon southern battlefields and at Andersonville, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—46.

The nays were:

None.

Absent or not voting:

Senators Jones, McManus, Turner, Whipple—4.

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. 7, a bill for an act to regulate the transportation of dead bodies, and the practice of embalming, and to provide for examination and license of embalmers, and to provide penalties for violation.

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

Senate File No. 44, a bill for an act to provide for the compilation of the laws of the Thirtieth, Thirty-first and Thirty-second General Assemblies and the laws as they appear in the Code Supplement; to annotate the same and the Code and rules of the

Supreme Court to and including the May term, 1907, of the Supreme Court and to publish the said compilations and annotations as a "Supplement to the Code, 1907," and to provide for the appointing of a supervising committee and establish a salary for the editor of such Supplement to the Code and making an appropriation therefor.

Passed on file.

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, THURSDAY, FEBRUARY 14, A. D. 1907.

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

Prayer was offered by the Rev. E. E. Day of Spencer, Iowa.

On request of Senator Peterson, leave of absence was granted Senator Whipple until next Monday on account of sickness.

PETITIONS AND MEMORIALS.

Senator Clark presented petition of constituents urging an appropriation for the benefit of the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Crossley presented petition of constituents asking the passage of a bill providing for a two cent railroad fare.

Referred to Committee on Railroads.

Senator Warren presented petition of residents of Monroe county favoring an additional appropriation for the benefit of the Bacteriological Laboratory of the State Board of Health.

Referred to Committee on Appropriations.

Senator Mattes presented petition of residents of Sac City, Iowa, favoring an additional appropriation to the State Board of Health for the Bacteriological Laboratory.

Referred to Committee on Appropriations.

Senator Dunham presented petition of residents of Manchester, Iowa, favoring an additional appropriation to the State Board of Health for the Bacteriological Laboratory.

Referred to Committee on Appropriations.

Senator Hughes presented petition of constituents urging an appropriation for the benefit of the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Wilson of Clinton presented petition of druggists and physicians protesting against the proposed amendment to Senate File No. 31 in regard to labeling of drugs and medicines.

Referred to Committee on Public Health.

Senator Maytag presented petition of constituents favoring the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Kimmel, Senate File No. 180, a bill for an act to amend Chapter Ninety-eight (98) of the laws of the Thirty-first General Assembly relative to the registration and publication of pedigrees.

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

By Senator Dunham, Senate File No. 181, a bill for an act to amend Chapter Eleven (11) of the laws of the Thirtieth General Assembly, entitled "An act enlarging the powers of the district court, and to regulate the treatment and control of dependent, neglected and delinquent children. (Additional to Chapter Five (5) of Title Three (III) of the Code, relating to the district court.)"

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

By Senator Ericson, Senate File No. 182, a bill for an act providing for the inside finishing and completion of the Historical, Memorial and Art building, and making an appropriation therefor.

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

By Senator Seeley, Senate File No. 183, a bill for an act providing for placing a statue in bronze of James Harlan, ex-Senator of Iowa, in the National Statuary Hall in the Capitol building of Washington, D. C., and appropriating money to pay therefor.

WHEREAS, Under the provisions of Section Eighteen Hundred Fourteen (1814), Revised Statutes of the United States, the State of Iowa is authorized to provide and furnish statues, in marble or bronze, "of two deceased persons who have been citizens thereof and illustrious for their historic renown or for distinguished civic or military services," and,

WHEREAS, The Hon. James Harlan, ex-Senator of Iowa and Secretary of Interior under Lincoln, now deceased, is worthy of being selected as one of the citizens of Iowa whose statue shall be placed in the said National Statuary Hall, in the Capitol building at Washington, D. C.

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

By Senator Hughes, Senate File No. 184, a bill for an act to amend Section One Thousand Eight Hundred and Seventy-three (1873) of the Code relating to publication of reports of banks.

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

By Senator Dowell, Senate File No. 185, a bill for an act to amend Section Three Thousand Six Hundred and Fifty-six of the Code, relating to the appearance term for certain actions.

Read first and second time and placed on Calendar.

By Senator DeArmand (by request), Senate File No. 186, a bill for an act to repeal Section Three Hundred and Thirty-four (334) of the Code, relating to excusing persons from jury service and to enact a substitute therefor.

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

By Senator Taylor, Senate File No. 187, a bill for an act to amend Section One Thousand Three Hundred and Four (1304) of the Code, relating to property exempt from taxation.

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

By Senator Gilliland, Senate File No. 188, a bill for an act for the regulation and taxation of persons who shall maintain an office or place of business where intoxicating liquors are held in store and the purchase price thereof collected for the owner from the person to whom they have been conditionally sold.

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

By Senator Gilliland, Senate File No. 189, a bill for an act to

regulate and tax persons taking orders for intoxicating liquors to be delivered in the future.

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

REPORTS OF COMMITTEES.

Senator Gilliland, 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. 92, a bill for an act to promote the safety and health of employes and passengers upon street railways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

SHIRLEY GILLILLAND,
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 Senate File No. 118, a bill for an act to empower County Agricultural Societies to condemn and take private property for the use and accommodation of the public in attendance at fairs, beg leave to report that they have 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.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 72, a bill for an act to amend Section Forty-three Hundred and Forty-one (4341) of the Code, relating to actions of mandamus, beg leave to report that they have 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. 72.

A BILL for an Act to Amend Section Number Forty-three Hundred and Forty-one (4341) of the Code, Relating to Actions of Mandamus.

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

SECTION 1. That Section Forty-three Hundred and Forty-one (4341) of the Code be, and the same is hereby amended, by adding thereto the following:

All such actions shall be tried as equitable actions.

And when so amended that the bill do pass.

C. C. DOWELL,
Chairman.

Substitute read first and second time and passed on file.

Senator Smith of Mitchell, 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. 85, a bill for an act amending Paragraph Seven (7), Chapter Thirteen Hundred and Four (1304) of the Supplement to the Code, relating to exemptions to Union Soldiers of the Mexican War or of the War of the Rebellion, or to the widows of said soldiers or sailors, beg leave to report that they have 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.

President Pro. Tem. Smith was called to the chair at 10:20 o'clock.

Senator Bleakly moved that Senate File No. 63 be re-referred to Committee on Public Health.

Carried.

THIRD READING OF BILLS.

Senate File No. 60, a bill for an act to validate and legalize the consolidation of the Dunleith & Dubuque Bridge Company, a corporation created under the laws of the State of Illinois, with the Dunleith & Dubuque Bridge Company, a corporation created under the laws of the State of Iowa, and validating and legalizing all rights and franchises exercised under said consolidation by said Iowa corporation, and all corporate acts and proceedings of the said Iowa corporation, since the consolidation of the said Illinois corporation with it, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Frudden moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—47.

The nays were:

None.

Absent or not voting:

Senators Jones, Turner, Whipple—3.

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

REPORT OF COMMITTEE.

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. 78, beg leave to report that they have had the same under consideration and have instructed me to report the following substitute therefor, and when the said substitute is adopted the same do pass.

SUBSTITUTE FOR SENATE FILE NO. 78—BY YOUNG.

A BILL for an Act to Provide for the Examination and Regulation of Graduate Nurses. Also to Regulate the Practicing of Nursing by Graduate Nurses and to Provide a Penalty for the Violation Thereof.

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

SECTION 1. It shall be unlawful for any person to practice professional nursing or publicly profess to practice such nursing without first obtaining from the State Board of Health a certificate authorizing him or her to practice nursing in this State.

SEC. 2. At the annual meeting of the State Board of Health it shall select two physicians from its own membership, and two graduate

nurses, residents of this State, actively engaged in the practice of nursing, who, together with the Secretary of the State Board of Health, shall constitute the examining committee for the year. The examinations provided for in this act shall be held in the city of Des Moines in July of each year and at such other times as the Board of Health shall direct. All applicants for certificate to practice nursing shall have attained the age of twenty-three (23) years and shall be of good moral character. They shall be graduates of training schools recognized as being in good standing by the State Board of Health of Iowa, and shall have received at least three (3) years' instruction in general hospital practice. After July 1st, 1910, no training school shall be accredited by the State Board of Health as a school of recognized standing which is not attached to a general hospital and which does not have a course of study of at least three (3) years. All graduate nurses who are residents of the State and who have been engaged in the practice of nursing for one (1) year prior to the passage of this act shall be granted a certificate without examination upon the payment of the registration fee, and the same rule shall apply to all nurses who graduate from a recognized school prior to July 1st, 1907. Nurses holding diplomas from hospital training schools of recognized standing, upon application to the Secretary of the State Board of Health, shall be granted a permit to practice until the first examination of the Board following the issuance of the said permit.

SEC. 3. After the passage of this act, any person who is not exempt from examination by Section Two (2) of this act and who shall apply for a certificate to practice nursing shall be examined in the following subjects: Elementary hygiene, anatomy, physiology, materia medica, dietetics, and also practical nursing, medical and surgical nursing, obstetrics, nursing of children and the rules and regulations of the State Board of Health relating to infectious diseases and quarantine and such other subjects as the Examining Board may require from time to time. Each applicant shall pay the Secretary of the State Board of Health a fee of five dollars (\$5.00). If the examination be satisfactory to three members of said committee, it shall so report to the State Board of Health; if the Board find the report and ratings correct, it shall authorize its President and Secretary to issue a certificate to the successful candidate for which such candidate shall pay an additional fee of one dollar (\$1.00). This certificate shall confer upon the holder the right to practice as a registered nurse, and be conclusive evidence thereof. The State Board of Health is empowered to recognize certificates issued to nurses under the laws of other States having substantially similar requirements to those existing in this State; provided, that such States recognize certificates issued by the State of Iowa; then certificates issued by authority of such other States may be deemed sufficient evidence of qualifications of the licentiate without further examination for certificate in this State; the fee for such certificate shall be ten dollars (\$10.00). The holder of such certificate provided for in this act, shall cause the same to be registered in the office of the County Recorder of the county wherein he intends to reside.

SEC. 4. No person, after January 1st, 1908, except one holding a certificate under authority of this act shall advertise to be or assume the title of graduate 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 and it shall be unlawful for any graduate nurse to practice professional nursing in the State of Iowa without first having registered under this act.

SEC. 5. 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 registered or graduate nurse.

SEC. 6. The Board of Health may refuse to grant, or renew any certificate provided for in this act, to a person otherwise qualified, who obtained said certificate by false or fraudulent representation, or for immoral or unprofessional or dishonorable conduct, or for willful or repeated violation of the rules or regulations of the State Board of Health; and the Board may revoke any certificate issued by it, for any such or similar cause; provided, that before the revocation of any certificate issued under the provision of this act, the licentiate shall have been afforded an opportunity for a hearing before the Board. At least twenty (20) days prior to the date set for such hearing, the Secretary of the State Board of Health shall cause written notice, under registered mail, to be sent to the licentiate at his last known place of residence; said notice shall contain a statement of the charges, and the date and place set for the hearing before the Board. If the party thus notified fails to appear, either in person or by counsel, at the time and place designated in said notice, the Board may, after receiving satisfactory evidence of the truth of the charges and the proper issuance of the notice, revoke said certificate. If the licentiate appear, either in person or by counsel, the Board shall proceed with the hearing as herein provided. The Board may receive and consider affidavits and oral statements, and shall cause stenographic report of the oral testimony to be taken, which, together with all other papers pertaining thereto, shall be preserved for one (1) year. If five (5) members of the Board present at the hearing are satisfied that the licentiate is guilty of any of the offenses charged, the certificate shall be revoked, for such time as the State Board of Health may determine.

SEC. 7. Each member of the examining committee, except the Secretary, shall receive for his services out of the funds created by the payment of fees by applicants for examination such compensation as is allowed to the members of the State Board of Medical Examiners for like services and the Secretary shall receive the sum of one hundred dollars (\$100.00) per annum and his necessary expenses incurred for services which cannot be performed at the Capitol. All printing, postage and other contingent expenses, necessarily incurred under the provisions of this act shall be paid from said fund. All expenses incurred under the provisions of this act shall be itemized, verified, and audited and a warrant drawn therefor on the nurses' fund in the same manner as other expenses of the State Board of Health.

SEC. 8. Any person who shall knowingly violate any of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof, shall be fined a sum not exceeding one hundred dollars (\$100.00) or imprisonment in the county jail for not to exceed thirty (30) days.

SEC. 9. 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 Capital, newspapers published in Des Moines, Iowa.

HENRY YOUNG,
Chairman.

Substitute read first and second time and passed on file.

THIRD READING OF BILLS.

On motion of Senator Turner, Senate File No. 98, a bill for an act to empower the State Educational Board of Examiners to validate teachers' certificates issued in other states, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Turner moved the adoption of the following amendment:

Amend by striking out Section Two (2).

Adopted.

The bill as amended was read for information.

Senator Turner moved that the rule be suspended, 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, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—46.

The nays were:

None.

Absent or not voting:

Senators Allen, Frudden, McManus, Whipple—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 Dunham, Senate File No. 44, a bill for

an act to provide for the compilation of the laws of the Thirtieth, Thirty-first, and Thirty-second General Assemblies and the laws as they appear in the Code Supplement; to annotate the same and the Code and Rules of the Supreme Court to and including the May term, 1907, of the Supreme Court, and to publish the said compilations and annotations as a "Supplement to the Code, 1907," and to provide for the appointment of a supervising committee and establish a salary for the Editor of such Supplement to the Code and making an appropriation therefor, was taken up and considered.

Senator Dunham moved that the Senate concur in the following House amendment:

Amend by striking out the word "on" in the second (2d) line of Section Eight (8), and inserting in lieu thereof the word "from."

On the question, "Shall the House amendment be concurred in?"

The yeas were:

Senators Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, Frudden, Gale, McManus, Whipple—6.

So the amendment having received a constitutional majority was declared to have been concurred in by the Senate.

On motion of Senator Dowell, House File No. 72, a bill for an act to amend Section Forty-three Hundred and Forty-one (4341) of the Code, relating to actions of mandamus, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Dowell moved that the substitute be substituted for the original bill.

Carried.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Allen, Jamieson of Page, McManus, Turner, Wade, Whipple—6.

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

On motion of Senator Dowell, Senate File No. 185, a bill for an act to amend Section Three Thousand Six Hundred and Fifty-six of the Code, relating to the appearance term for certain actions, was taken up and considered.

The bill was read for information.

Senator Dowell moved that the rule be suspended, 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, Bruce, Burgess, Clark, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon,

Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whiting, Wilson of Clinton, Young—43.

The nays were:

None.

Absent or not voting:

Senators Allen, DeArmand, Hopkins, McManus, Turner Whipple, Wilson of Fayette—7.

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 Dowell moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, FEBRUARY 15, A. D. 1907.

Senate met in regular session at 10 o'clock a. m., President Garst presiding.

Prayer was offered by the Rev. J. D. Collins of Sac City, Iowa.

On request of Senator Kimmel leave of absence was granted Senator Kinne until tomorrow on account of sickness.

PETITIONS AND MEMORIALS.

Senator Wilson of Clinton presented petition of residents of Clinton county favoring an additional appropriation to the State Board of Health for the benefit of the Bacteriological Laboratory.

Referred to Committee on Appropriations.

Senator Mattes presented petition of residents of Greene county urging an appropriation for the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Stookey presented petition of forty-two citizens of Decatur county asking an increased appropriation to the State Board of Health for the benefit of the Bacteriological Laboratory.

Referred to Committee on Appropriations.

Senator Young presented petition of constituents urging the passage of Senate File No. 94, providing for an appropriation for the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Ericson presented petition of residents of Story county, composed of voters and non-voters, urging the passage of the measure known as the State marshal law.

Referred to Committee on Suppression of Intemperance.

Senator Taylor presented petition of constituents urging the passage of the measure known as the State marshal bill.

Referred to Committee on Suppression of Intemperance.

Senator Stirton presented petition of Cedar county urging an additional appropriation to the State Board of Health for the benefit of the Bacteriological Laboratory.

Referred to Committee on Public Health.

Senator Gilliland presented letter of W. P. Hohenschuh of Iowa City urging the passage of Senate File No. 17 in relation to the embalming and transportation of dead bodies.

Referred to Committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Seeley, Senate File No. 190, a bill for an act to amend Section 469 of the Code, relative to the compensation of Board of Supervisors when doing committee service.

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

By Senator Crossley, Senate File No. 191, a bill for an act providing for the listing and taxing of mortgages and other liens upon real estate, and mortgaged real estate.

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

By Senator Moon, Senate File No. 192, a bill for an act to amend Section 768 of the Code, relating to vestibules on street cars for the protection of employes operating such cars.

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

By Senator Gilliland, Senate File No. 194, a bill for an act authorizing cities of the first class to levy taxes for the purpose of paying for building and construction of bridges and for the issuance of bonds or certificates against such levies.

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

By Senator Bruce, Senate File No. 195, a bill for an act amendatory of and additional to Section 912 of the Code in relation to the issuance of certificates or bonds in anticipation of special taxes by towns.

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

By Senator DeWolf, Senate File No. 193, a bill for an act providing for the inspection of steam boilers, generators, super-heaters, and creating the office of State Boiler Inspector, defining his duties thereunder and providing penalties for violation thereof.

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

By Senator DeWolf, Senate File No. 196, a bill for an act to regulate the sale or disposal of stocks of goods, wares or merchandise in bulk, and to provide a penalty for the violation thereof.

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

On motion of Senator Smith of Mitchell, Senate concurrent resolution relative to time of adjournment on February 28 was taken up and considered.

Senator Stookey moved to amend by making the time 1:30 o'clock p. m. Tuesday.

Carried.

The concurrent resolution as amended was adopted.

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. 151, a bill for an act to prevent the desecration of Memorial Day and provide a penalty 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. 118, a bill for an act to amend Section Two Thousand

Six Hundred and Two (2602) of the Code, relating to admission of persons 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 Senate is asked:

House File No. 52, a bill for an act defining the liability of railroad and railway companies in the case of failure to transport live stock at a certain rate of speed.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns the following bill, as requested by the Senate, in which the concurrence of the Senate was asked:

House File No. 42, a bill for an act to repeal Section Four Hundred and Twelve (412) of the Code and to enact a substitute therefor relating to the time of holding meetings 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 House was asked:

Senate File, No. 87, a bill for an act for the relief of the grantees of Jacob W. Applegate and for the purpose of having a patent issued in the name of S. S. Judge 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. 46, a bill for an act to legalize the acts and proceedings of the city council of the City of Anamosa, Iowa, relative to the construction of permanent sidewalks; relative to the change of grade of a certain street.

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 legalizing the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by

the city council of Leon, Iowa, and legalizing all the acts, proceedings, and resolutions adopted or passed by said city council in changing from the incorporated town of Leon, Iowa, to the incorporated city of Leon, Decatur county, Iowa, legalizing all of the aforesaid proceedings as fully and effectually as if the law in every particular had been complied with in the passage of all said acts, proceedings, and resolutions and publication thereof, if same had in every respect been omitted or neglected, and legalizing all the acts of the officials acting under said acts, ordinances, proceedings, and resolutions.

C. R. BENEDICT,
Chief Clerk.

Senator Crossley was called to the chair at 10:10 o'clock a. m.

HOUSE MESSAGES CONSIDERED.

House File No. 151 a bill for an act to prevent the desecration of Memorial Day and provide a penalty therefor.

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

House File No. 118, a bill for an act to amend Section 2602 of the Code, relating to admission of persons to the Soldiers' Home.

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

House File No. 52, a bill for an act defining the liability of railroad and railway companies in the case of failure to transport live stock at a certain rate of speed.

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

House returns House File No. 42, a bill for an act to repeal Section 412 of the Code and to enact a substitute therefor, relating to the time of holding meetings of the Board of Supervisors.

Passed on file.

Senate File No. 87, a bill for an act for the relief of the grantees of Jacob W. Applegate and for the purpose of having a patent issued in the name of S. S. Judge for a certain tract of land.

Passed on file.

Senate File No. 46, a bill for an act to legalize the acts and proceedings of the city council of the city of Anamosa, Iowa,

relative to the construction of permanent sidewalks; relative to change of grade of a certain street.

Passed on file.

Senate File No. 29, a bill for an act legalizing the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the city council of Leon, Iowa, and legalizing all the acts, proceedings and resolutions adopted or passed by the said city council in changing from the incorporated town of Leon, Iowa, to the incorporated city of Leon, Decatur county, Iowa, legalizing all of the aforesaid proceedings as fully and effectually as if the law in every particular had been complied with in the passage of all said acts, proceedings and resolutions and publication thereof, if same had in every respect been omitted or neglected, and legalizing all the acts of the officials acting under said acts, ordinances, proceedings and resolutions.

Passed on file.

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. 107, a bill for an act to amend Section Twenty-three Hundred Fifty-one (2351) of the Supplement to the Code, relative to the protection of game, beg leave to report that they have 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 inserting after the word "quail" in the fourth line of said section "or prairie chicken."

And when so amended the bill do pass.

W. C. KIMMEL,
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. 170, a bill for an act to prohibit the trapping, shooting or killing of quails, beg leave to report that they have 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.

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. 36, a bill for an act in relation to protection of game—an act to amend Chapter Fifteen-A (15-A) of the Supplement to the Code of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

W. C. KIMMEL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Bleakly, 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. 103, a bill for an act to amend Section Five Hundred Ninety-one (591) of the Code relative to compensation of Township Clerks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JOHN L. BLEAKLY,
Chairman.

Ordered passed on file.

Senator Bleakly, 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. 169, a bill for an act relating to State documents and publications and amending Section One (1), Chapter Five (5) of the Acts of the Thirtieth General Assembly of the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend the title by inserting after the word "publications" and before the word "and" the words "providing for the appointment of a document librarian and fixing his salary."

Amend Section One (1) by striking out of lines three (3) and four (4) the words "Fifteen Hundred" and inserting the words and figures, "Twelve Hundred (\$1,200.00)," in lieu thereof.

And when so amended the bill do pass.

JOHN L. BLEAKLY,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 25, a bill for an act to repeal Section Three (3) of Chapter One Hundred One (101) of the laws of the Thirtieth General Assembly, and Sections One (1) and Two (2) of Chapter One Hundred Thirteen (113) of the laws of the Thirty-first General Assembly, relative to establishing and maintaining a State Board of Health Laboratory at Iowa City, and enacting in lieu thereof the following:—beg leave to report that they have 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 figures "Sections One (1) and Two (2) of" in lines three (5) and four (4) of the title, and when so amended the bill do pass.

F. L. MAYTAG,
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. 131, a bill for an act to amend Section Four Hundred Twenty-two (422) of the Code, relative to the power of Boards of Supervisors, and granting thereunto additional 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 be amended by adopting the following substitute:

SUBSTITUTE FOR HOUSE FILE NO. 131.

A BILL for an Act to Amend Section Four Hundred Twenty-two (422) of the Code, Relative to the Power of Boards of Supervisors, and Granting Additional Powers.

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

SECTION 1. That Paragraph Nine (9) of Section Four Hundred and Twenty-two (422) of the Code be, and the same is hereby amended, by adding thereto the following:

"And to permit any person, persons, or corporation to use any portion of the lands owned by the county for ornamental or art purposes, or for the erection of any monument or fountain under such restrictions and regulations as the Board of Supervisors may from time to time enact; provided, that such use does not interfere with the use for which such real estate was originally acquired by the county."

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

The substitute was read first and second time and 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. 186, a bill for an act to repeal Section Three Hundred

and Thirty-four (334) of the Code, relating to excusing persons from jury service 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.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 174, a bill for an act to repeal Section Twenty-nine Hundred and Thirty-four (2934) of the Code, and to enact a substitute therefor, in relation to filing, indexing and recording deeds and other instruments unconditionally conveying 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.

C. C. DOWELL,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Frudden, Senate File No. 25, a bill for an act to repeal Section Three (3) of Chapter One Hundred and One (101) of the laws of the Thirtieth (30th) General Assembly, and Sections One (1) and Two (2) of Chapter One Hundred and Thirteen (113) of the laws of the Thirty-first (31st) General Assembly, relative to establishing and maintaining a State Board of Health Laboratory at Iowa City, and enacting in lieu thereof the following, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Frudden moved the adoption of the following committee amendment:

Amend by striking out the words and figures "Sections One (1) and Two (2) of" in lines three and four of the title.

Adopted.

The bill as amended was read for information.

Senator Frudden moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clark, Jones, Kimmel, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Young—46.

The nays were:

None.

Absent or not voting:

Senators Kinne, Stuckslager, Whipple, Wilson of Clinton—4.

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

Senate File No. 118, a bill for an act to empower county agricultural societies to condemn and take private property for the use and accommodation of the public in attendance at fairs, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

Senator Saunders moved that the vote by which House File No. 42 was indefinitely postponed be reconsidered.

Carried.

Senate File No. 35, a bill for an act limiting the commencement of actions for the recovery of real estate, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

Senator Saunders asked unanimous consent that House File No. 42 be re-referred to Committee on Judiciary.

Consent granted.

Senate File No. 103, a bill for an act to amend Section Five Hundred and Ninety-one (591) of the Code, relative to compensation of township clerks, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Further consideration of the bill was deferred at this time.

REPORTS OF VISITING COMMITTEES.

The following reports of special committees appointed to visit State institutions were presented:

SOLDIERS' HOME AT MARSHALLTOWN.

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

Your joint committee, appointed to visit the Soldiers' Home at Marshalltown, beg leave to submit the following report:

We visited the Home on Thursday, January 24th, and were accorded every possible courtesy by the Commandant and his subordinates on our tour of investigation.

We were especially impressed with the management of the Hospital and the old people's home departments and cannot too highly commend those in immediate charge, and members of the Board of Control, under whose direction the Soldiers' Home for Iowa has reached high rank, if not the highest in the country.

We reiterate the recommendation made by the committee one year ago that this General Assembly should furnish means for the erection of a coal house with a capacity sufficient for the needs of the institution.

We are of the opinion that appropriations should be made in accordance with the suggestion of the Commandant, namely:

Quartermaster's building, storeroom and equipment, light, heat, and sewerage connection.....	\$ 10,000.00
Coal house	4,500.00
Enlargement of pump room	1,200.00
Grand Army hall, in basement of chapel, and equipment.....	1,000.00
Improvements of grounds	2,000.00
Hose house	800.00
Two new hose carts (\$100 each)	200.00
Five hundred feet 2½-inch fire hose	350.00
Total	\$ 20,050.00

Respectfully submitted,

O. K. MABEN,
 J. C. BONWELL,
 O. C. BLACKMORE,
 J. HUGHES, JR.,
 C. J. A. ERICSON.
Committee.

COLLEGE FOR THE BLIND AT VINTON.

To the President of the Senate:

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 committee met in the College at Vinton on Friday, January 25th, and were deeply impressed with the candid, sincere and earnest interest manifested by Superintendent Vance 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.

The committee visited every department and listened with interest to the recitations and instructions as they came and went from the pupils and teachers, almost or all totally blind, and must admit that the committee were surprised in the thorough organization and construction of the different departments

We also visited all the rooms, bath, lavatories, halls, cloak rooms and sleeping apartments of all the inmates of that institution. They were models of neatness and order, the sleeping rooms being decorated with pictures and ornaments to a surprising extent, and really created an impression of contentment and happiness. At the noon hour we were present at the dining room and watched the maneuvers of the inmates of that institution in marching to their places at the different tables. It was surprising to us as to the accuracy, order and decorum under which the students took their places at their tables. We took dinner with the superintendent, after having visited the culinary department. We noticed that our table was furnished with the same menu as that which was furnished to the inmates and which was on a bill of fare duly printed and posted at the entries of the dining room. The committee could not ask for anything more complete in that dinner.

In the afternoon we visited the hospital and the factories of the institution, found everything complete, neat and in the most perfect order. In the hospital were three patients, two of them who said they had the "chicken-pox," and the third one was afflicted, she said, with a disease that was more prevalent in our boyhood days than at present, technically called, "scabies."

Mr. Vance, the superintendent, has been in his position but a short time, but it was evident to this committee that he was a person eminently fitted for his place, and we could see that he was beloved by all of his wards to an unusual degree.

We also found that the things to be done as recommended by the committee at the last session of the Legislature have been carried out, except an appropriation for a gymnasium, etc., for which the Legislature failed to make an appropriation. We, your committee, are unanimous in our recommendation of an appropriation of \$20,000 for a gymnasium. We think it of the greatest importance in view of the peculiar condition of the inmates of this school. The students, being blind, need exercise and recreation as much, and in our judgment, more than any of the inmates of other institutions of the State, for then their recreation could be reduced to a system suitable to their condition. We further recommend an addition to the contingent fund asked by the Board of Control the sum of \$500.00 for repairs needed, so our recommendations are as follows:

For Contingent Fund	\$ 2,500.00
For Oculist Fund	500.00
For Gymnasium	20,000.00

All of which is respectfully submitted this 2d day of February, 1907.

JOHN FOLEY,
D. W. DOW,
A. W. KENDALL,
D. D. WEBSTER,

Committee.

INSTITUTION FOR THE DEAF AT COUNCIL BLUFFS.

To the President of the Senate and the Speaker of the House of Representatives of the Thirty-second General Assembly of the State of Iowa:

Your committee, appointed to visit the Institution for the Deaf, which is located at Council Bluffs, begs leave to submit the following report:

We arrived at the institution on the evening of January 24th, and the committee, as a whole, spent all the following day in visiting the schools, visiting every department, and in inspecting the various buildings on the premises, together with all live stock owned and kept there by the State. We have no hesitancy in saying that we were very much impressed with the great importance of the School for the Deaf, among the other State institutions. There is a general air of prosperity, contentment and cleanliness about the place and its inmates that impressed your committee at once, that it is an excellently managed institution throughout, and we are a unit in the opinion that the Iowa Institution for the Deaf is one of the most deserving in our State. It is here that the child who has never heard the sound of his own voice, is being taught by self-sacrificing young men and women to do things that are the wonder and admiration of all visitors.

We take it that the one sole and sacred purpose of the establishment and maintenance of this institution by the State, is to make self-supporting citizens of its inmates, and with that idea in view, we would respectfully recommend that the "Domestic Science Department" (once in operation there, and for the continuance of which we found every necessary equipment), be resumed, with the object in mind that all young women who attend this school may avail themselves of an opportunity to learn the things which will enable them to earn an honest livelihood and live respectable lives after leaving the school.

The law of courtesy forbids criticism, but we believe that the State was extravagant in trying to be economical, when it discontinued the Domestic Science Department of this school. We believe also that the Manual Training Department should be supervised by a person in every way competent to direct such work, with the end in view that these boys may, upon leaving the school, obtain positions in the various shops and factories, at living wages.

We would respectfully recommend that our laws be enacted so that children who are county charges may be allowed to remain at the institution during the whole of the year, instead of nine months, the period prescribed by the law at present in force.

After carefully considering existing needs of the institution, your committee recommends the following appropriations for the purposes therein mentioned, namely:

For improvement of grounds, grading, walks, trees and shrub- bery	\$ 5,000.00
For storage and refrigerating plant.....	3,500.00
For wrecking and removing old and temporary buildings....	2,000.00
For plastering and completing basement of main building....	2,000.00
For blackboard wall slating.....	1,500.00
For fencing	500.00

For library and binding.....	500.00
For tools and machinery for industrial schools.....	300.00
For tombstones	100.00
For contingent and repair fund.....	3,500.00
New heating and lighting plant.....	10,000.00
Total	\$ 28,900.00

Your committee further recommends that an additional three thousand dollars (\$3,000) be appropriated for the purpose of plastering and completing the basement of the main building, in the event funds are available for such purpose.

We unhesitatingly commend the able, painstaking and efficient administration of the affairs of this institution by its superintendent, Mr. Henry W. Rothert.

Respectfully submitted,

MARION F. STOOKEY,
J. L. WARREN,
Senate Committee.

STANLEY CONN,
ASAHEL MANN,
CURRAN F. SWIFT,
House Committee.

INSTITUTION FOR FEEBLE-MINDED CHILDREN AT GLENWOOD.

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:

The entire committee visited this institution on January 24 and 25, 1907. While there, we examined the buildings and grounds and visited the various departments, witnessing the care taken for the temporal comfort of the inmates, as well as the infinite patience displayed in the effort of teachers to develop, according to the varying degrees of capacity, the minds committed to their charge.

We have only words of commendation for the efficient manner in which Dr. Mogridge and his able corps of assistants are administering the affairs of this institution. The capacity of this home is placed at 950, while the present enrollment reaches 1,104, with a large number of applicants still awaiting admission. Viewed aside from its philanthropic features, we believe this institution saves, in the aggregate, a large amount to the State, by relieving parents and others of an unremitting care, and enabling them to remain in the ranks of industry, supporting the other members of their families, and in contributing to the general welfare of their respective communities. We believe the State should, so far as possible, provide for certain needs of this institution, which to your committee seems of vital importance.

For years the water supply has been entirely inadequate. This has been obtained from two sources, viz: Keg Creek and a deep well located on the grounds. Over a year ago an epidemic of typhoid fever occurred. On examination, it was found that both sources of water supply were thoroughly contaminated. Every analysis since has shown the deadly

germ present in a dangerous degree. The drinking water for the institution has been boiled since the time of the epidemic, a process which must continue until some form of relief is obtained.

The Thirty-first General Assembly appropriated \$25,000 for water supply, etc. Under direction of the Board of Control, another deep well has been started. At a depth of about 800 feet the contractor lost the drill, and the last three months have been spent in a vain endeavor to recover it. Your committee is of the belief that at present, the paramount need of this institution is an adequate supply of pure water.

We recommend the abandonment of the deep well project for the following reasons:

1. The infection of the deep well now in use.
2. The unreliability of the supply, as the depth of the water in the well on the grounds, and in the well in the town of Glenwood, presumably supplied from the same level, has materially diminished, at times the supply having become alarmingly low.
3. The great expense in operating the pumps connected with the deep wells.
4. The deep well water is not good for cooking or laundry purposes.

Your committee further recommends that a sufficient appropriation be made, which, in connection with the unexpended balance of the amount appropriated by the Thirty-first General Assembly for water supply, will enable the Board of Control to establish a pumping station, with all necessary equipment, at a convenient location on the river bottom, from which water shall be conducted to the institution.

We are led to recommend this action by our belief, based on reliable experiments, analyses and estimates, to us submitted, that in this way an abundant supply of pure water, good for all purposes, may be obtained, and that when established, such a plant could be operated at much less expense than the pumps at the deep wells. The Board of Control has asked for an appropriation to build two wings to the new Custodial building. While recognizing the pressing need of such additions, we have felt that the need of an adequate water supply was imperative. We would therefore recommend that provision be made for only one of the proposed wings at this time.

We believe the Board of Control's request for special appropriations is reasonable and should be complied with, so far as consistent with existing conditions. The changes we indicate are mainly based upon the hypothesis that our suggestion that appropriation be made for one wing to the new Custodial building be adopted.

We recommend that appropriations be made as follows:

Wing for new Custodial building.....	\$30,000
Furniture and furnishings for new Custodial building.....	7,000
New boilers	10,000
Engine and generator	8,000
Tunnel to new Custodial building for boys.....	3,000
Paints and painting	1,500
Beds and bedding	1,500
Furniture and furnishings.....	1,500

Contingent and repair fund	10,000
Water supply	25,000
Total	\$97,500

Respectfully submitted,

F. L. MAYTAG,
 CHAS. ECKLES,
 R. J. BIXBY,
 WILLOUGHBY DYE,
 JOHN C. DEMAR,
Committee.

INDUSTRIAL SCHOOL FOR BOYS AT ELDORA.

MR. PRESIDENT—Your joint committee, to visit and examine into the needs of the Iowa Industrial School for Boys, beg leave to submit the following report:

On the 24th inst. we visited said institution and spent the entire day examining the same. We found Assistant Superintendent Kuser in charge, Superintendent Drake being temporarily absent on account of sickness. We were very courteously received, and very kindly and hospitably entertained by Mr. Kuser and his good wife. In passing through the different departments of the school, its present condition and future needs were freely and frankly discussed by the officers and employes; and information desired by the committee, or that was deemed beneficial thereto, was promptly and truthfully given.

The institution is kept in good condition, and all its affairs are well and economically administered. There are about 475 boys kept there, ranging in age from nine to twenty-one years—the bad, the vicious and worst mingling with the better and the good. The discipline and order maintained is good; the studies and employment provided, suitable and very appropriate. The people of Iowa hardly realize that 85 per cent of the boys who pass through this institution become honorable, useful and law-abiding citizens.

RECOMMENDATIONS.

We are constrained to suggest that the bad or worst be kept separate, for a while at least, from the better or good. We realize that this is a hard problem; but the necessity for keeping temptation and wickedness from those who are liable to yield thereto, and be influenced thereby, is great, and demands our interest. Just how this is to be accomplished we leave to the hands of the Board of Control.

HOSPITAL.

Your committee is of the opinion that there is plenty of room in the large, or administration, building for all hospital purposes needed in connection with the institution. Suitable rooms could be obtained for such purpose upon the third floor thereof. We recommend that a proper operating room be prepared and equipped therein, and one for dispensing and storing apothecary supplies.

RAILWAY SWITCH.

The institution ought to be connected by a switch or siding with the railways of Eldora. Your committee believes that by reason of the large amount of freight received in car-load lots, aggregating 250 to 300 cars per annum, it is folly to transfer it by team from the different freight yards of the town. In this connection, the loss to the State in demurrage charges and by theft must be considered. The grading and right of way required in this instance would not be unusual or expensive; and we urge that such proceedings be at once commenced as will result in giving the institution railway connections.

THE FARM.

The premises pertaining to this institution consist of 840 acres, parts of which are sandy, with some gravel banks. Other portions are low and subject to overflow. The low land is being tiled, and is expected to be, when so tilled, very productive.

The heifer calves should be raised and added to the herd whence the dairy supplies are obtained, that the same may be maintained at its proper size without buying cows thereafter from time to time. We believe that a farm that size should produce stock sufficient for all purposes of such an institution.

The teams, harness and wagons the inmates used did not impress your committee as being in such a state of repair as is befitting the State of Iowa.

We trust that the scientific knowledge the State has at Ames be applied to the farming of these premises, and if possible make them more productive. We believe the great agricultural institute of the State should produce stock for use at the State institutions, and that the farms operated by the State should be brought under the influence thereof and become models of scientific agricultural operations, as well as a source of greater income.

THE TRADES.

There is an attempt to teach some of the trades, not so elaborate nor on such a scale as in the judgment of the committee they should be taught. They have a very neat printing plant and were doing some very good work there. The report of the superintendent was printed there and it speaks well for the boys who did it. Why the plant is not utilized more by the State, and thus save large sums annually, is one of those puzzling questions that cannot be harmonized with economy and ordinary business principles. A better use of the results of the manual training in the institution should be had.

RELATING TO FURNISHINGS.

Your committee insists that out of the sum recommended herein for "furniture and furnishings," there be taken a sufficient amount to provide feather pillows for all the beds of the institution, and that this be done immediately.

APPROPRIATIONS RECOMMENDED.

Operating room and medical supplies.....	\$ 1,000.00
Drain tile	2,000.00
Repairs to barn	500.00
Fencing	500.00
Greenhouse and connections	3,000.00
Furniture and furnishings	1,000.00
Live stock—horses, cattle etc.	1,000.00
Poultry house	600.00
Band and orchestra	300.00
Agricultural implements	300.00
Lectures and entertainments	300.00
Contingent and repair fund	5,000.00
Total	\$ 15,500.00

Respectfully submitted,

W. B. SEELEY,
A. F. FRUDDEN,

Committee on Part of the Senate.

E. W. WEEKS,
J. H. KELLEY,
S. A. FEAY,

Committee on Part of the House.

INDUSTRIAL SCHOOL FOR GIRLS AT MITCHELLVILLE.

To the President of the Senate and the Speaker of the House of Representatives of the Thirty-second General Assembly:

Your joint committee appointed to visit the Industrial School for Girls at Mitchellville, beg leave to submit the following report as the result of their investigation.

First, we found an overcrowded condition in the School, as will be seen from the following:

There are two hundred and forty (240) girls in this School, they are divided up in four families (each in charge of a Matron) which are called Homes.

Home No. 1 intended to accommodate	40	has	54
Home No. 2 intended to accommodate	40	has	52
Home No. 3 intended to accommodate	40	has	61
Home No. 4 intended to accommodate	50	has	68
			<hr/>
	170		235
In Hospital			5
			<hr/>
Total			240

This shows a total of seventy persons more than they can accommodate, or care for carefully. And notwithstanding this overcrowded condition, the discipline and mannerism is most excellent. Most of the buildings should be painted, exterior and interior, and many of the floors relaid. Some of the old board walks have been replaced by permanent cement walks. This should be continued until all the walks in the Campus, and about the grounds, are made of cement, which would make them permanent and not perishable.

There is some stock on the farm, both horses and cattle, that should be disposed of, because of age. These should be sold and younger animals put in their place that would be more profitable.

The Administration Building asked for in the report of the Superintendent of June 30, 1906, we do not think is so urgently needed at this time, as a building for another Home, so that the girls may be properly cared for.

There is a grand work being done in this School by the Superintendent, his wife and their assistants, and that the cause demands, and ought to have a liberal appropriation by the State.

We therefore recommend that the sum of thirty-five thousand (\$35,000.00) dollars be appropriated, for the immediate needs of this School. And that it be applied as follows:

For the Erection of a New Home.....	\$25,000.00
For the Painting of Buildings.....	1,800.00
For the Making of Permanent Walks.....	1,500.00
For the Horses and Cattle.....	1,000.00
For the Repairing Superintendent's Cottage.	1,000.00
For the Books and Periodicals.....	500.00
For the Chaplain's Fund	300.00
For the Dental Equipment	200.00
For the Contingent and Repairs.....	3,700.00

Total\$35,000.00

Respectfully submitted,

E. W. CLARK,
 JAMES ELERICK,
Senate Committee.
 B. T. NIX,
 F. E. SHELDON,
 EDWARD McDONALD,
House Committee.

INSANE HOSPITAL AT MOUNT PLEASANT.

MR. PRESIDENT—Your committee, appointed to visit the State Hospital at Mount Pleasant, beg leave to submit the following report:

We visited the above named institution on Thursday, January 24, 1907, and made as thorough an examination of the buildings and investigation of the conditions surrounding the inmates as was possible in the limited time at our disposal. Several hours were spent in going through the different wards of the Hospital, each ward being visited, after which we made a trip over the farm connected with the institution, looking over the farm buildings, live stock, and later visiting the machine shops and kitchens.

Your committee has no hesitancy in saying that the management of this institution is excellent. The State is to be congratulated on having a superintendent at Mount Pleasant of such capabilities as has been shown by Dr. C. F. Applegate, and both he and the members of his staff deserve the highest praise for the efficiency with which they have administered the affairs of this Hospital. In each ward and in all departments there were abundant evidences of thorough and smooth working system.

We are convinced that the patients are treated with every possible consideration.

At the time of our visit, there were between 1,000 and 1,100 inmates in the Mount Pleasant Hospital. The main building was not intended to accommodate this number of patients, and as a consequence, some of the wards were badly crowded, the lack of room for proper sleeping accommodations in many of the wards being very apparent. In all parts of the building, order and quiet prevailed, and the extreme neatness of the wards and patients was noticeable. In most cases, the patients seemed submissive to, and fond of, the nurses and physicians in attendance, and a general air of contentment was marked throughout the institution.

The main building of the Hospital is in good physical condition, though new repairs, especially in the way of repairs to the inside walls and ceilings, are needed.

The farm in connection with the Hospital consists of 917 acres. It is in a good state of cultivation, and the superintendent informed us that the products of this farm in the way of stock, grain and vegetables raised during the past year, amounted to \$28,000, the price of products being based on local market values. Most of the labor on the farm is performed by the inmates, though the amount of labor they perform is, we understand, optional with the patients. The wisdom of operating large farms in connection with the State institutions of this character has been fully demonstrated, and the policy of the Board of Control to enlarge the State farms by the purchase of adjacent land, meets with our approval.

The following is a list of the appropriations asked by the Board of Control for the biennial period. Opposite each amount is the amount recommended by your committee:

	Amount Asked by Board of Control.	Amount Recom- mended by Committee.
For women's infirmary and equipment.....	\$ 65,000.00	\$ 65,000.00
For hospital switch	15,000.00
For converting hay barn to farmers' lodge..	10,000.00	10,000.00
For tunnels	7,500.00	7,500.00
For land	4,700.00	4,700.00
For furniture and furnishings.....	4,000.00	2,000.00
For painting	3,000.00
For tiling land	1,000.00	500.00
For fencing	1,000.00	500.00
For books and periodicals	500.00	500.00
For kitchen equipment	500.00	500.00
For contingent and repair fund	10,000.00	10,000.00
Total	\$122,200.00	\$101,200.00

Your committee, owing to the crowded condition of the women's section of the Hospital, and the almost total lack of facilities to care for sickness, would earnestly recommend that the sum of \$65,000 be appropriated for the Women's Infirmary. There should be no delay in the erection of this building. There is an infirmary for men, and during our visit we found it filled with patients who need special medical attention, but there is nothing of this kind for the women who are sick. Various wards in the women's section of the main building are at present

devoted to bedridden cases at great inconvenience to the inmates. We respectfully urge that an appropriation of sufficient amount to build this infirmary be made during the present session of the Legislature.

The sum of \$7,500 is asked by the Board of Control to complete the tunneling. In case of the erection of the infirmary, the full amount asked should be granted.

For converting a hay barn to a farmers' lodge, \$10,000 is asked. This is a first-class brick building in good condition, being used at present for the storage of hay, grain and vegetables. The Board of Control estimates that for the sum of \$10,000, this barn may be converted into a farmers' lodge, making a suitable place to care for at least one hundred inmates of the institution of the class who do farm work, and thus reducing the congested condition at this time prevailing in the wards of the main building. A lodge or cottage of this character is needed and your committee deems that this appropriation is advisable. A new building for this purpose of proper size would cost the State at least \$35,000.

The Board recommends an appropriation of \$4,700 to purchase additional land and your committee concurs in this recommendation. The intention is to purchase an additional seventy-five acres adjoining the farm connected with the institution. The Board have had on hand for some years in an unexpended balance of \$2,800, originally appropriated for the purchase of land. This amount, together with the sum asked for, will be sufficient to make the above purchase. The land is needed for additional pasture and for farming purposes.

There is need for additional furniture in most of the wards. Your committee realizes the impossibility of granting in full all of the askings, and have seen fit to cut the item of \$4,000 asked for this purpose to \$2,000. This amount will not purchase the furniture that is needed, but will be something toward relieving the most pressing needs.

Much has been done in the way of tiling the land. The Board asked for \$1,000 to do additional work in this direction. Your committee has reduced this amount to \$500; a like amount is recommended by the Board for fencing, and a similar cut in this item has been made by your committee.

For books and periodicals, recommended that the appropriation of \$500 asked for, be granted. The patients find much pleasure in the books, newspapers and periodicals about the institution. This is practically the only thing in the way of luxury that they have.

We recommend that \$500, the full amount asked for by the Board, be granted for kitchen equipment.

For contingent and repair fund, we recommend that \$10,000, the full amount asked for, be appropriated. Under no circumstances should this amount be reduced, covering as it does, the contingent expenses and repairs of the institution for two years.

Respectfully submitted,

W. C. STUCKSLAGER,

JOHN H. JACKSON,

J. H. DARBAH,

W. D. DODDS,

ERNEST R. MOORE,

Committee.

HOSPITAL FOR INSANE AT CLARINDA.

To the President of the Senate and Speaker of the House of Representatives of the Thirty-second General Assembly of the State of Iowa:

Your committee, appointed to visit the State Hospital at Clarinda, beg leave to submit the following report:

We arrived in Clarinda on the evening of Wednesday, January 22d, and after supper were driven to the hospital in carriages provided by the institution, accompanied by Dr. Max E. Witte, the superintendent. We spent a very pleasant and profitable evening in the office of the superintendent, talking over matters of interest to the institution and becoming somewhat acquainted with the work it is doing and its wants for the next biennial period.

Thursday morning we began the work of inspection, which was continued during the entire day, and with such a degree of thoroughness as was possible in so short a time as we had to devote to the work.

We made special effort to ascertain for ourselves, by personal observation and inquiry, the actual condition of the patients, the facilities for properly caring for them, and the methods employed for the comfort and relief of this most unfortunate class of wards of the State. We spent most of our time in passing through and inspecting the various wards, and noted with much satisfaction the splendid sanitary condition of the same, and the facilities for administering to the sick and those unable to be up and about.

The hospital wards in both the male and female departments are in good condition, and it is our judgment that the patients are receiving the very best of medical attention. The men's wards are not overcrowded, owing to the fact that but recently a cottage was built by the State, which relieved the heretofore crowded condition, and will prove ample for the needs of the institution for some years to come. We found some of the ladies' wards crowded, and, in many instances, the connecting corridors were utilized for sleeping apartments, some containing from eight to ten beds. We discovered that under the existing conditions this is absolutely essential, as there is no other means at hand for the relief of the over-crowded wards.

We visited the kitchen department and saw the food being prepared for the noon-day meal. This is prepared in as cleanly and sanitary a manner as it is possible to be done anywhere or under any conditions. The food is wholesome and supplied in liberal quantities. We believe the Board of Control follows the policy of purchasing only the best of everything, and doubtless in the end this is the more economical plan.

After having made a thorough inspection of the kitchen, laundry, bakery, cold storage department and the store, all of which we find in first class condition, we then turned our attention to the outbuildings. We found an excellent workshop equipped with suitable machinery for the manufacture and repair of such articles as are needed in and about the institution.

A splendid greenhouse, in which were numerous plants and flowers in bloom, a fire department equipped with the necessary carts, hose, ladders, etc., for use about the premises.

We then were conducted into the engine room of the power plant. Here we found a condition prevailing which we consider needs immediate

relief. The smokestack, being of small dimensions and of inferior capacity, was not carrying off the smoke and gas, a great deal of which came back into the engine room, causing a condition which rendered it almost impossible for any one to remain longer than thirty minutes to an hour without going to the fresh air.

Upon inquiry, we learned that the State owns about 860 acres of land, which is connected with or adjacent to the institution. Upon this land during the last year, we gleaned from the report of the superintendent, there was raised more than \$25,000 worth of grain, fruits and vegetables, all of which has been or will be consumed in the institution, thereby materially reducing the cost of support.

Superintendent Dr. Max E. Witte afforded us every facility possible, and was ready with any necessary information, in order that we might obtain thorough and complete knowledge with reference to the condition of affairs, and the situation as it actually is. We believe Dr. Witte and his estimable wife to be the right people in the right place. We also highly commend his assistants, Doctors Mackin, Moon and Leader, the latter a woman physician, who are ably assisting him in the important work of caring for the unfortunate.

On Thursday evening we attended an entertainment given for the benefit of the patients, in the large auditorium. This was given by some of the attendants and was participated in by a few of the patients, and seemed to give unlimited pleasure to those who were well enough to be present. Some such program as this is given two or three times a week during the winter season, and in the summer, band concerts and other forms of amusement are employed to interest, amuse and divert the minds of the patients.

The Board of Control is asking and recommends the following appropriations for the next biennial period:

1. For cottage for women	\$ 75,000.00
2. For engine and generator	8,000.00
3. For sewer, tunnel and connections	4,000.00
4. For painting	4,000.00
5. For plumbing and fixtures	2,000.00
6. For contingent and repair fund	10,000.00
7. For smokestack	7,500.00

As will be seen by the foregoing report, the women's wards are seriously congested, and if item No. 1 is allowed and the appropriation made, it will be at least two years before the building could be completed and ready for occupancy, and by that time, with the natural increase in the population, the condition would be very serious. We therefore recommend item No. 1.

The engine and generator in use at present is sufficient under ordinary conditions, but as the old engine which has been used on former occasions in cases of emergency, is now absolutely useless except for scrap iron, we believe it is necessary to the safety of the institution that another engine and generator be installed at once. We recommend item No. 2.

Should item No. 1 be allowed and appropriation made therefor, item No. 3 would immediately become a necessity, as this item is intended to connect the proposed new cottage with the heating and light plant. Therefore we recommend item No. 3.

As is always the case in a large institution of this kind, there must necessarily be a great deal of painting done every year, in order to keep the buildings in a proper condition and state of preservation. Upon inquiry, we learn that it takes about \$2,000 every year for this item. Therefore we recommend for the biennial period the amount opposite Item No. 4.

Two thousand dollars is not considered too much to anticipate as the amount for plumbing and fixtures during the next biennial period. This item, if allowed, would undoubtedly be used in the repair of the natural wear and tear of the plumbing already installed. We recommend item No. 5.

Item No. 6 is the amount that is usually needed by institutions of this kind to keep up the natural wear and tear of the buildings, and to provide also against contingencies which may arise and are not generally foreseen or anticipated. We have inquired of the Board of Control, and are informed that this item is not too large and therefore we recommend same.

Item No. 7, as stated elsewhere in the report, is an absolute necessity, and the amount asked for is the estimate of the State architect for such a chimney which would furnish sufficient capacity for the work required of it. We therefore earnestly recommend item No. 7.

We were impressed with this thought, while inspecting the institution, that the management is not asking for anything that is not actually needed. We believe that the success and the future efficiency of this institution will depend largely upon the liberal manner in which the Appropriations Committees may deal with this recommendation.

We cannot close our report without a word of congratulation to the State upon the able manner in which this institution is conducted, both as to the superintendent and assistants and the Board of Control. Their methods are strictly up-to-date and business-like and we believe that no more economically administered State institution can be found anywhere in the United States.

Respectfully submitted,

JOHN L. BLEAKLY,
EDWIN G. MOON,
THOMAS GENEVA,
J. R. SMITH,
P. M. JEWELL.

Committee.

INSANE HOSPITAL AT INDEPENDENCE.

To the President of the Senate and Speaker of the House of Representatives of the Thirty-second General Assembly:

Your joint committee to visit the State Hospital for the Insane at Independence begs leave to submit the following report:

Your committee, with Senator Turner and Representative Springer, visited the Hospital February 1, 1907, and inspected the institution as well as possible in the limited time we were there. We found the buildings and grounds in far better condition than we had expected to find them, considering that some of the buildings were erected nearly forty years ago.

The institution is asking for the following appropriations:

For Infirmary and Equipment.....\$125,000

For Deep Well and Pump.....	12,000
For Engine and Generator.....	8,000
For Electrical Re-wiring.....	8,000
For Tunnel to Grove Hall.....	4,000
For Completion of Ventilating System.....	5,000
For Painting.....	3,000
For Tiling Farm	3,000
For Addition to Dry Room.....	2,000
For Repairing Greenhouse, Add'l.....	1,500
For Laundry Washers.....	1,500
For Iron Working Lathe.....	500
For Contingent Repair Fund.....	10,000
Total	\$183,500

Regarding the appropriations asked for, your committee would make the following recommendations:

Item 1. While the needs of an Infirmary Building would be desirable, yet, its establishment at this time is not absolutely necessary, and owing to the limited amount available for extraordinary appropriations we can not approve an appropriation for this item at this time.

Item 2. After carefully considering the water supply, your committee were unanimous in their opinion that the quality of water furnished by the City of Independence is as good as would be procured from a deep well, and that the price charged, viz., six cents per thousand gallons, is cheaper than it would be possible to pump the same from a deep well. We make this latter statement after consulting some of the best engineers in the State who are familiar with this class of wells, and we do not approve an appropriation for this purpose.

Item 3. Engine and Generator. This item we recommend should be granted.

Item 4. Electrical Re-wiring. This item, while desirable, yet it is not absolutely necessary at this time, and we would recommend that no appropriation be made for this purpose.

Item 5. Tunnel to Grove Hall. This item can be dispensed with until some future time.

Item 6. Completing Ventilating system. This your committee would recommend be granted.

Item 7. Painting. We would recommend that two thousand dollars (\$2,000) be appropriated for this item.

Item 8. Tiling Farm. Owing to the inclemency of the weather your committee did not inspect the needs of this item, but believe that an appropriation of fifteen hundred dollars (\$1,500), at this time for tiling such lands as most need tiling would be advisable, and recommend the sum of fifteen hundred dollars (\$1,500) for this purpose.

Item 9. Addition to Dry Room. We would recommend that the entire amount, viz., two thousand dollars (\$2,000), asked for this purpose, also, the entire amount, fifteen hundred dollars (\$1,500), asked for Item Number 11, laundry washers, be granted.

Item 10. Repairing Greenhouse. The Thirty-first General Assembly appropriated one thousand dollars (\$1,000) for this work, but this amount was wholly inadequate to do the work as it should be done. The amount

estimated necessary to rebuild the Greenhouse and addition will be twenty-five hundred dollars (\$2,500), and we would recommend that the amount asked, fifteen hundred dollars (\$1,500), be granted.

Item 12. Iron Working Lathe. This item is not necessary at this time.

Item 13. Contingent Fund. We recommend that the full amount asked for be granted.

In concluding our report we can not but feel that the Board of Control and the State are to be congratulated on having so able and competent a Superintendent as Dr. W. P. Crumbacker at the head of this, one of the largest and most important of the State Institutions.

All of which is respectfully submitted.

F. M. HOPKINS,
JOSEPH MATTES,
T. H. HUME,
J. J. MORRIS,
PHILIP HELES,
Committee.

INSANE HOSPITAL AT CHEROKEE.

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

Your joint committee, appointed to visit the Hospital for Insane at Cherokee, met at the institution on January 24, 1907, and begs leave to make the following report:

The committee would say that while the appropriation for every item recommended by the Board of Control could in our judgment be profitably used, we still think that several of the items may be omitted from the appropriation without discommoding the comfort of the inmates of the institution.

We commend the cleanly and orderly manner in which the institution is conducted.

We were impressed with one feature in the hospital which we consider on the basis of a necessity, and that is the overcrowding of its capacity. It seems to us, with the rapid annual addition of inmates, the time has come when the State should make the necessary arrangements for their proper accommodation. The institution has been overcrowded, and has been so reported by examining committees of the General Assembly. A committee reported to the Thirty-first General Assembly that an appropriation be made to begin a building to relieve the congested condition then existing. We recommend that an appropriation now be made large enough to complete and furnish such a building. We are convinced that by the time this building is completed the population of the hospital will have increased to a number sufficient to fill this new building to its capacity. In this connection we think it proper to state that the plant is abundantly equipped to furnish a new building with the necessary heat and water without extra expense on account of these items

There are, however, minor items which we regard as necessary, as follows:

Concerning the item of painting, we regard that inside painting is necessary, but can be dispensed with at this time. The outside painting

of the metal portions of the building we deem necessary, as the same have not been painted since the buildings were completed. This is imperative on account of the present condition.

We found the institution fairly accommodated with carpets and rugs, which have been in use in nearly every instance for about five years and which are, so far as we examined, in a worn and unsatisfactory condition. We believe a small appropriation should be made for this item at this time.

We believe that the amount asked for by the Board should be allowed for books and periodicals.

After having examined the institution and its needs as thoroughly as possible in the time at our command, we unhesitatingly recommend the following appropriations for the institution as being in our judgment urgently necessary at this time:

	Amount Recommended.
For infirmary and equipment.....	\$125,000.00
For painting	2,000.00
For carpets and rugs	500.00
For books and periodicals	500.00
For contingent and repair fund	10,000.00
Total	<u>\$138,000.00</u>

GEO. KINNE,
W. C. KIMMEL,
W. W. McELRATH,
CHAS. YOUDE,
H. L. PIERCE.

Committee.

HOSPITAL FOR INEBRIATES AT KNOXVILLE.

To the President of the Senate and the Speaker of the House of Representatives of the Thirty-second General Assembly:

Your joint committee, appointed to visit the State Hospital for Inebriates at Knoxville, begs leave to make the following report:

Dr. W. S. Osborn, 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 believe he is thoroughly equipped and competent to discharge the duties of superintendent.

We visited the hospital January 24, 1907, and found that the institution invoiced, June 30, 1906, about \$150,000, all told. On a tour of inspection of all the buildings, we found them in very excellent sanitary condition. Cleanliness appeared in all quarters and we were especially impressed by the good order of things in general. The old building that was abandoned by the Industrial School for the Blind we found in good repair; it is used for a dining room and kitchen and the Chapel is located in the north wing. It will accommodate about one hundred inmates. Only those who are easily managed are allowed in this part.

We find that the Board of Control have erected an Administration Building which meets all requirements. They have, also, a Detention

Building with three floors and a basement, built of brick, stone and cement; it is fireproof. The windows are barred and it makes a very safe retreat for dangerous characters.

They have a substantial power-house constructed of brick, stone and cement. It is equipped with boilers, dynamos and engines ample for the needs of the institution. The new farm barn, just built at a cost of \$4,000, has a brick basement and is modern in every respect.

The water question is solved. They have two wells 350 feet deep, finished in the limestone rock. They were started with eight and finished with six-inch casings. The wells test 1,700 gallons of water per hour. It is of good quality, being about neutral. We deem it advisable to erect a standpipe so that sufficient fire protection could be had in case of emergency. The sewage plant installed last year appears to be working satisfactorily.

We find that but little of the land is fenced sufficiently well to turn live stock. We would recommend to the State Board that this improvement be made as soon as possible.

There are one hundred and sixty-three acres of land connected with the hospital. Some of this is very level and needs tile drainage; other parts are somewhat rough, especially the last tract acquired, it having had a race track on it at one time and it will take some work to level it down. The question of more land for agricultural purposes is a vital one. It is our opinion that there should be fields enough to accommodate as much live stock as it is practical for the institution to keep. We believe they should produce their own meats; therefore we recommend the purchase of a tract of land for a hog pasture. It is our opinion that the purchase of more land will be instrumental in the future development of the hospital.

Knoxville is without doubt the Eldorado of Iowa for those who fall by the wayside.

The hospital has a capacity of two hundred and twenty-five. We found about one hundred and fifty inmates, with nothing to do but pass the time away and grow fat at the expense of the State. The superintendent informs us that it costs about \$23 per capita per month to maintain it in its present method of procedure. About seventy-five per cent of the inmates are able-bodied men and are capable of doing work enough to pay their way. We would recommend that labor of some kind be furnished to those who are able to work. We would suggest the purchase of a tract of land to the north of the buildings that will afford a stone quarry. Pulverized rock would be merchantable for macadamizing purposes.

The superintendent informs us that about ten per cent of the cases committed receive permanent benefit. There is an element that is sent to the hospital that does not come under its jurisdiction. A great many hardened criminals who have been in the penitentiary, who are termed "sleepers" around the cities, are sent there to be rid of them. The influence these persons have on young fellows who have gone wrong for the first time is not the best, and we recommend that this class of patients be sent to other places.

We, your committee, recognize the fact that the institution is a new one. That all of its departments have not been developed as would

seem practical. We have the utmost confidence in the Board of Control to adjust things to a practical business basis as soon as possible.

We would recommend the appropriations asked for by the Board.

For land	\$ 10,000.00
For additional fire protection	500.00
For fencing	500.00
For walks and improvements of grounds	500.00
For telephone system, additional	500.00
For contingent and repair fund	2,000.00
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Total	\$ 14,000.00

J. A. MCKLVEEN,
WARD WILSON,
J. M. FENN,
L. L. TAYLOR,
Committee.

PENITENTIARY AT FORT MADISON.

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

Your joint committee, appointed to visit the State Penitentiary at Fort Madison, respectfully submits the following report:

During the day of January 24th, we visited every department of that institution. We found that the State possesses but four acres of ground, which lay in front of the Warden's residence, for the purpose of producing food for the convicts. Another piece of land of the same size and adjoining and lying between it and the river, the Board of Control recommends the State to purchase. This recommendation meets the approval of your committee. It could be used to great advantage to produce vegetables for the convicts and also furnish out-door labor for them. Parties might purchase the property and use it for purposes that would be a great detriment, not only to the appearance of the prison but might become an actual nuisance. We understand this land can be gotten for \$4,000.00 which, in our estimation, would be reasonable.

The Board recommends the purchasing of more land and asks \$12,000.00 for that purpose. We are informed that land about a mile from the prison could be gotten for \$100.00 an acre. We believe such an investment would be economy and bring in good returns. A number of cows could be kept, food raised for them and milk supplied for the convicts. It is now supplied entirely by milk dealers. The farming and care of the stock could all be done by the convicts and give them healthy out-door employment.

The new hospital is completed and in use. It is occupied by five convict patients, who are getting as good care and careful attention as patients in private or public hospitals.

We are much pleased with the water supply furnished from wells less than one hundred feet deep. It is abundant for every want of the institution and is superior for drinking use. We have to say in regard to the cell house what every visiting committee has said for a number of years: it is not what it should be for the conditions of health. It is

more than a half century old, except the top row of cells. The cells are narrow, three feet and three inches wide, and scarcely seven feet high. They are built of stone and absorb moisture and at times are necessarily damp. Any material that will absorb moisture will retain the germs of disease and consequently increase the risk of health. The mortar between the stones breaks and crumbles and leaves places for the lodgment of dust that might float in the air or dirt of various kinds could accumulate in such places regardless of the most scrupulous care and cleanliness. We recommend that a new cell house be built. A portion of our committee thinks the amount asked for could not be used for that purpose within the next biennial period, as there is much preparatory work to be done before such an enterprise could be begun. Such a building would have to be built outside the present inclosure, as there is no room for it within the walls as they now stand. So a new wall will have to be built, enlarging the grounds as they now are. And at the north end, there is a hill forty or more feet high, a portion of which has to be removed to give place to the wall. The State architect says that the removing of a sufficient portion of the hill, the building of the wall can be done by the middle of the coming summer. If so, probably the entire amount, \$90,000, can be expended for the purpose wanted within the coming biennial period. While we do not wish to impede in any way the construction of this much-needed improvement, probably it would be well to recommend the amount asked for and, if not expended within the biennial period, the remainder could be carried to the next period.

We are surprised at the energy exhibited by the convicts at their work. They are making furniture and farm and garden implements. Each one worked as though financially interested and we soon learned that they were not partners, but sharing in the dividends. They are paid for over work; one convict told us he made \$20 per month in that way. A member of the Board of Control said that some of them make as high as \$28 per month. Such an arrangement has an admirable effect upon the discipline and morals of the inmates of our penitentiary. The classification as to deportment also goes a great way in stimulating the convict in being obedient and subject to discipline. Those who have the least respect for the rules are obliged to wear the striped suits and are denied privileges that others enjoy. The next are required to dress in checked suits, and the best in plain gray. We were assured that these methods have made the management of the penitentiaries much easier, and we could not but conclude that if the State would adopt the indeterminate sentence, it would again be making a step upward and forward in our criminal management.

We were pleased to have the privilege of attending the night school for the convicts, at which attendance is not compulsory. About a hundred and sixty were enrolled, but the school room is not sufficient to accommodate but sixty. They exhibited more interest in their studies than is exhibited in our public schools. A convict was their teacher, and when a question was asked, many hands went up volunteering an answer. There was no distinction in color; blacks and whites sat side by side, and each seemed equally interested. We think some way should be provided for more school room. What those men store up from their

books, while there, will go a long way toward making them better men, and confinement in prison without changing the character for good of the one confined is useless.

The chapel was undergoing repairs and was being enlarged. The Chaplain said the inmates took much interest in the services and that they exerted a healthy influence. They are compelled to attend such services.

An excellent library of over 6,000 volumes is provided for the inmates and they make excellent use of it, we were told.

The State hires about four hundred of its convicts to manufacturing companies at sixty cents per day. To your committee, this does not seem as much as it ought to be. The State feeds, clothes, and lodges the convicts, and the companies employing them get as much work from each one as though they were paying from \$1.50 to \$3.00 for free labor, which is not easy to get, even at those figures. We see no reason why the State should not get approximately at least what free labor commands.

The Warden, we believe, to be the right man in the right place and we have no criticism to make on the discipline of the institution or the management of the State's property. Warden Jones has had command of the institution for thirteen years and of the various committees that have visited there in that time, each had words of commendation for his services. His annual salary is \$2,000 per year, without perquisites. Before the Board of Control came into existence, the Warden had his house help from some handy convict. The Board of Control decided that was a perquisite and that the Warden must afterwards pay for such help. He also is compelled to furnish his own table supplies, if no special appropriation is made for that purpose. The committee of the Twenty-sixth General Assembly recommended that \$250 be allowed for that purpose. Other committees recommended that \$500 be allowed. These recommendations were made when the Warden was getting his house help from the State, so he really then was getting more for his services than he now is. Your committee recommends that his salary be increased to \$3,000 per year and that he furnish his own table and house help. After a limited investigation as to the salaries of Wardens of penitentiaries of other States, we think this recommendation reasonable. The appropriation of \$2,000 for transportation of prisoners asked for, we believe is the least that should be allowed. The committee of the Twenty-sixth General Assembly recommended \$4,500 for that purpose and \$7,500 for contingent fund. The amount for the latter purpose, \$5,000, now asked for, should be granted.

HENRY YOUNG,
FRED N. SMITH,

Part of Senate.

WM. WELDEN,
HENRY RITTER,
G. A. FEELY,

PENITENTIARY AT ANAMOSA.

To the President of the Senate and Speaker of the House of Representatives of the Thirty-second General Assembly:

Your joint committee, appointed to visit the State Penitentiary at

Anamosa, beg leave to submit the following report and recommendations:

Immediately upon our arrival at the penitentiary, Warden Barr 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 equipments are in excellent condition. The new cell house is not yet complete, but will be soon. We also found that the floor of the dining room would be completed in a short time; it is of dressed stone, and will last for generations. We find the prison would be admirably adapted for a reformatory, in case the State should adopt the reformatory plan. We think there is sufficient room to accommodate all who might come there. We are also of the opinion that the prisoners should be provided with work, and in order to do this, we would recommend the appropriation for the extension of the printing department, and we would also recommend that the prisoners be taught trades, so that when they are paroled or discharged from the institution, they may be competent to earn a livelihood for themselves.

We found Warden Barr and assistants, gentlemen in every respect, and they are highly esteemed by the prisoners themselves. There seems to be a reciprocal feeling existing between the Warden and those over whom he has charge.

We recommend that the following amount be appropriated as scheduled below:

	Amount Asked.
For salaries of foreman	\$ 8,000.00
For addition to printing and binding outfit.....	5,000.00
For completing cell bank	3,000.00
For Deputy Warden's office	1,500.00
For roof for old boiler room	2,000.00
For derrick supplies	1,200.00
For lime and cement	1,500.00
For transportation of discharged prisoners.....	1,500.00
For tools for shop and quarry	600.00
For freight on stone	1,000.00
For powder and fuse	500.00
For sewer pipe	400.00
For contingent and repair fund	5,000.00
Total	\$ 31,200.00

D. W. TURNER,
THOS. LAMBERT,
JOHN MCALLISTER,
A. F. N. HAMBLETON,
OTIS H. HOLMES.

Committee.

STATE NORMAL SCHOOL AT CEDAR FALLS.

To the Thirty-second General Assembly of Iowa:

Your committee, appointed to visit the State Normal, respectfully report that all the members of the committee met at Cedar Falls on Thursday morning, January 24th, and went immediately to the school. We first visited the auditorium, where we found practically the entire student and faculty membership assembled for chapel exercises. The deep-seated earnestness, the evidence of a purpose to obtain an education rather than to have a "lark of a time" in spending the "Governor's" money, so apparent in the faces of the young people, was an inspiration to the members of the committee. A general air of studiousness and decorum was everywhere manifest, and the notion (now apparently somewhat old fogyish) that education is a matter of labor and discipline and not a matter for purchase or inheritance, seemed to prevail in the school. The affection in which the president of the school is held and the exalted life he lives before and among the young people are important elements in character building.

We found not only in the student body these pleasing evidences of high purpose and good work, but there is about the whole institution a sort of general set or character, a sort of "spick and span" fitness in the arrangement and proportions, the general scheme of the buildings, grounds and equipments, including cleanliness, sanitation, athletics, and calisthenics, that at once strikes the eye and engrosses the thought of the interested observer. A superb plan for a great school seems to have been conceived by somebody and its accomplishment appears to be nearing completion. The present millage allowed the school will doubtless construct and equip the additional buildings necessary to work out this plan.

We found the library and museum in cramped and inadequate quarters. The purpose of the trustees is the immediate construction of a building to cover these two important interests of the school. We examined the plans for the proposed building and they meet with our approval. We therefore recommend that the trustees be authorized to construct the building as contemplated as a new home for the library and museum.

One of the ambitions of the management is to keep all the rooms and hallways as clean as possible, for the health and comfort of all concerned. To accomplish this result, new cement walks and paving are necessary. The location and extent of these proposed walks and paving were pointed out to the committee, and we are of the opinion that the appropriation asked by the trustees for these purposes should be made. The amount asked for library and librarians' salaries is also reasonable and should be allowed.

Respectfully submitted,

A. C. WILSON,
SHIRLEY GILLILLAND,
F. F. JONES,
L. W. INMAN,
C. W. MILLER,

Committee.

STATE UNIVERSITY AT IOWA CITY.

To the President of the Senate and the Speaker of the House of Representatives of the Thirty-second General Assembly:

Your joint committee, appointed to visit the State University of Iowa at Iowa City, beg leave to submit the following report:

Your committee desires to congratulate the people of the State on the apparent advancement of the University in all lines and departments of its educational work. Its attendance for the year 1904-'05 was 1,560 and for 1905-'06 was 1,815, an increase of eighteen per cent, being a greater per cent of increase than that of any school of like rank and character in the United States. The increase so far this year is over two hundred, the proportionate increase being about the same as that of last year. With this great increase in attendance, the University in all departments is overcrowded, notwithstanding the substantial new buildings that have been erected the past few years. The completion of the new Science building will give relief to some of the departments. The registration, in some instances, has had to be refused on account of lack of room. We think the University is as well managed as the means at command and the system now in vogue will permit, and we feel that the University has become one of the foremost universities of this country. We are particularly gratified with the large and substantial growth of the Graduate College which is the apex of all University work. The enrollment in the Graduate College is larger than that of any of the Western States, exceeding that of Michigan, Wisconsin, Illinois, Missouri, Nebraska and Minnesota.

Of the sixty-three leading institutions having different departments in this country, the College of Liberal Arts, as to attendance, stands seventh in size; the College of Law, fourth in size; the College of Medicine, homeopathic and regular combined, stands third in size; the College of Dentistry is first in size; the College of Pharmacy, seventh in size, and the Graduate College, second in size. The summer session, which is a six weeks' term, particularly for high school teachers, principals and superintendents, stands fifth in size in students of Collegiate grade. The summer school last year had two hundred and eighty-two students. The total expenditure for the summer school was \$5,546.93. The tuitions received in the summer school was \$1,800.00.

The average cost to the State of the education of one student at the University this year will be \$97.85. This is calculated on the basis of the annual support fund from the State of \$205,500.00 and an attendance of twenty-one hundred, which is the probable number at the end of the year. The average tuition received from students this year will be \$28.56, as closely as can be calculated. The average room rent paid by the students is \$6.00 per month, approximately. The average rate of board is \$2.75 per week.

The Board of Regents of the University have submitted to us an itemized statement of the amounts asked in the way of appropriations, which we herewith insert, and is made a part of this report, namely: Askings from the Thirty-second General Assembly:

Annual appropriations—
 Additional annual support.....\$ 60,000 \$ 120,000

Additional annual, repair and contingent.....	2,500	5,000
Library annual	10,000	20,000
	<u>\$ 72,500</u>	<u>\$ 145,000</u>
Balance carried over.....		\$ 145,000
Special appropriations—		
Land for women's dormitory.....	\$ 15,000	
Land	60,000	
Equipment of new Science building, new wing of Uni- versity hospital, and steam laboratories.....	45,000	
Equipment and supplies.....	30,000	
Women's building, and equipment of same.....	125,000	
Paving and sidewalks.....	5,000	
Improvement of grounds.....	8,000	
Mechanical stokers, and coal and ash-conveying ma- chinery	10,000	
	<u> </u>	<u>\$ 298,000</u>
Total askings for the biennium.....		\$ 443,000

The present annual appropriations already fixed by law for the University amounts to \$205,500. We feel that at the present time there should be no additions to the annual appropriations, but whatever appropriations are made by this General Assembly should be special appropriations. We feel that the time is soon at hand when the support of the three educational institutions will be on the millage basis. The Legislature of Michigan, now in session, has increased the millage tax for the support of their Universities from one-fourth mill to one-half mill, thus doubling their appropriation, but we make no recommendations for the millage tax for support by this General Assembly.

The first consideration that the University should receive is that of its support fund; without it, the University would be unable to exist. The large and gratifying growth of the University has necessitated, and will continue to necessitate, a much larger support fund. We feel that the asking of \$120,000 additional for support is likely to be all needed before the end of the biennium, but when we take into consideration the many demands on the available funds at the disposal of the General Assembly, we have concluded to recommend a curtailment of this asking of \$10,000, and we therefore recommend a special appropriation of \$110,000 for support for the ensuing biennium, and we ask that there shall be no curtailment of this amount, as we feel assured that all of this will be needed.

We would recommend a special appropriation of \$5,000 for repair and contingent. We would recommend an appropriation of \$15,000 for library fund support. (The appropriation last year was \$5,000). We find that this appropriation was altogether too small to meet the needs of the University.

As for the special appropriations asked, the first item, "land for women's dormitory," we do not recommend. The second item, "land, \$60,000," we find that among the first buildings proposed to be erected out of the millage tax (five years' millage tax voted at last session), is a Law building, which is needed. There is no proper location for such building on the land now owned by the University. To secure the

proper site for the Law building will necessitate an expenditure of from \$20,000 to \$25,000. There are other tracts of land needed by the University in the near future, which at the present time can be purchased at a reasonable price, aggregating about \$20,000. This land is situated immediately west of the present campus and is needed to make the campus compact and complete in that direction. We therefore recommend an appropriation of \$40,000 for land.

The third item, "equipment of the new Science building, new wing of University Hospital, and steam laboratories, \$45,000." The equipment of the new Science building will be extensive. The furnishings for the library will be moved to the Science building when completed. The furnishings for the library, including general library room, shelving and stack room will cost about \$10,000. The equipment of the Biology and Natural History Museum and of the Assembly room, having a seating capacity of thirteen hundred, and the equipment for the hospital will greatly exceed the amount asked for, \$45,000. We therefore unanimously recommend an appropriation of \$45,000.

The next is a request for \$30,000 for general equipment throughout the whole University. Under this head will include the equipment of the Law building of \$10,000 or \$12,000; additional equipment for the different laboratories, and equipment for other departments. We think the request reasonable and would recommend a special appropriation of \$30,000.

The next request is for "\$125,000 for Women's Building and equipment of same." There are now between six hundred and seven hundred women in attendance at the University. The claim is made that proper accommodations for room and board can not be given to all of this number. The proposed Women's Building would accommodate about one hundred and would render accessible to many others the accommodations as to board in the large dining-room in the proposed building. It is claimed that better care and oversight of the young women attending the University could be made possible by the University. The Regents do not think they have any right, under the provisions of the law, to take any part of the millage tax for the construction of the Women's Building. While there is much to be said in favor of the Women's Building, we feel that the available funds will not permit this appropriation. We therefore do not recommend this appropriation for Women's Building or land therefor at this time.

The next item, "\$5,000 Paving and Sidewalks." We think this appropriation necessary and the amount asked very moderate. Provision has been made by the city of Iowa City to pave certain streets on which the University grounds abut, and the work is held up until provision is made by the State to pay its proportionate share of the expense of such paving, amounting to \$3,000 and upwards, and about \$2,000 will be required for necessary cement walks on the University grounds. We, therefore, recommend that an appropriation of \$5,000 be made.

As to the request for \$8,000 for the improvement and upkeep of the University grounds, we find that there is considerable grading to be done on the campus, and around the proposed Law Building and on property that has been purchased the past few years, and for the planting and care for shrubbery and trees, that will necessitate a considerable expense. While the amount asked for, \$8,000, is probably not excessive

and in time will be needed, yet considering the limited funds at the disposal of this General Assembly, your committee would recommend an appropriation of \$4,000 for the improvement of the grounds.

The last request, \$10,000, for Mechanical Stokers at the general power house. As a business proposition, we feel like recommending this appropriation. The firing is now all done by hand. All experts agree that there is a great material saving in mechanical stoking. The manufacturers will install stokers and guarantee a saving of ten per cent over hand firing, and on this basis the cost would be paid by the saving in the expense in three and one-half years. Many power plants now have mechanical stokers, but we make no recommendation as to this request for \$10,000.

PROPOSED NEW BUILDINGS.

The Board of Regents propose to erect the following buildings:

Addition to Engineering Building, estimated cost..	\$ 60,000
Law Building	125,000
Physics Building	150,000

These buildings to be erected out of the Millage tax voted at the last session of the Legislature.

The following is a statement of the receipts and disbursements of the University for the year 1905-06, by funds:

RECEIPTS.

Income Fund	\$293,760.27
Building Tax Fund.....	130,025.00
Engineering Building Fund.....	37,500.00
Special Land Fund.....	19,908.00
Repair and Contingent Fund.....	7,500.00
Equipment and Supplies Fund.....	10,000.00
Paving and Sidewalks Fund.....	4,000.00
Tunnel and Extension Fund.....	5,000.00
Library Fund	10,000.00
Dam and Water Power Fund.....	10,000.00
Donated Land Fund.....	331.79
A. Whitney Carr Free Scholarship Interest Fund..	2,512.31
F. O. Lowden Oratory Prize Interest Fund.....	175.00
William Jennings Bryan Prize Interest Fund.....	12.50

Total income from all sources, for purposes,
1905-1906

\$530,724.87

EXPENDITURES.

Income Fund	\$278,720.49
Library Fund.....	10,346.11
Building Tax Fund.....	120,791.76
Natural Science Building Fund.....	2,556.74
New Medical Buildings Fund.....	433.18
Equipment and Supplies Fund.....	10,736.05

Equipment Fund, New Medical Buildings.....	1,221.50
Repair and Contingent Fund.....	7,345.30
Special Land Fund.....	20,170.11
Tunnel and Extension Fund.....	5,090.32
Paving and Sidewalks Fund.....	1,137.55
Dam and Water Power Fund.....	8,441.43
A. Whitney Carr Free Scholarship Interest Fund..	2,130.00
F. O. Lowden Oratory Prize Interest Fund.....	150.00
Engineering Building Fund.....	46,790.80
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Total expenditures, 1905-1906.....	\$516,061.34

The following is a summary of the recommendations of the Committee:

SPECIAL APPROPRIATION FOR THE BIENNIUM.

Additional Support	\$110,000.00
Additional Repair and Contingent.....	5,000.00
Library	15,000.00
Land	40,000.00
Equipment of New Science Building, new wing of University Hospital, and steam laboratories.....	45,000.00
Equipment and Supplies.....	30,000.00
Paving and Sidewalks.....	5,000.00
Improvement of Grounds.....	4,000.00
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Total recommendations for the Biennium.....	\$254,000.00

Your committee would further report that they visited the site purchased by the Board of Control for the Tuberculosis Hospital, located about six miles north and west of Iowa City. We think the Board of Control should be commended in selecting so favorable a location for the proposed Hospital. The land, consisting of two hundred and eighty acres, is high and dry and easily drained and suitable water available at reasonable depth. The site is located on the Cedar Rapids and Iowa City and Interurban Railway and is easily accessible to the State Bacteriological Laboratory at Iowa City. The service of which Laboratory will be available to the proposed Hospital and a large expense to the State thereby saved.

We would further report that we inspected the Bacteriological Laboratory in connection with the University. During the first year of its existence, the Bacteriological Laboratory examined 3,580 specimens, the second year 5,199, the past quarter 2,625, so that the total number for the third year is likely to be more than 10,000 specimens. Under the efficient direction of the present Bacteriologist the Laboratory has been of great service to all portions of the State. The value of the work done during the quarter amounts to \$9,523 based on commercial laboratory rates, or more than \$38,000 per year. The Laboratory is receiving \$3,500 annually from the State. This amount will be exhausted by April 1, 1907. The increase of work annually is about 100 per cent and as soon as the Tuberculosis Hospital is opened, the work will be greatly increased. We have given the matter careful consideration and would recommend an annual appropria-

tion of \$7,000 for the Laboratory. No appropriation can show as great returns as that made to the State Bacteriological Laboratory.

Respectfully submitted,

BYRON W. NEWBERRY,
E. P. MCMANUS,
J. H. LOWREY,
GEO. A. KELLOGG,
GEO. E. GRIER,

Committee.

AGRICULTURAL COLLEGE AT AMES.

To the President of the Senate, Speaker of the House, and Members of the Thirty-second General Assembly of the State of Iowa:

Your joint committee, appointed to visit the Iowa State College of Agriculture and Mechanic Arts, beg leave to submit herewith the following report:

Your committee personally visited the College in a body on January 23, 1907, and spent the entire afternoon and the following day in making an investigation of this great institution.

We found that the institution has made a very gratifying increase in attendance during the present year and that there are nearly two hundred more students enrolled at this time than there were one year ago. The institution has made a most gratifying progress in all lines of work, and it is one that reflects credit not only upon its officers and the management, but the State of Iowa as well.

Your committee was impressed with the fact that while the amount of money already expended upon the institution is large, its immediate demands are great, and that it deserves the cordial support of the citizens of Iowa, and particularly of the General Assembly.

The following is a statement of the amounts requested by the Board of Trustees, and for which appropriations are desired at this time:

ADDITIONS TO ANNUAL SUPPORT FUNDS.

Educational support fund.....	\$ 25,000
Equipment fund.....	20,000
Engineering experiment station.....	2,500

DIRECT APPROPRIATIONS.

For completion of heating plants, tunnels, etc.....	\$ 100,000
For improvement of water system.....	10,000
For new engineering shop.....	10,000
For remodeling old Engineering Hall for Structural and Hydraulic Laboratory.....	10,000
For General Engineering Laboratory building.....	30,000
For dairy and poultry farm equipment.....	8,000
For Margaret Hall addition.....	45,000
For pure bred stock.....	10,000
For walks and grading.....	10,000

For furnishings for the Hall of Agriculture.....	30,000
For Summer School of the year 1908.....	5,000
Total direct appropriations.....	<u>\$ 268,000</u>

EDUCATIONAL SUPPORT FUND.

Your committee found that there has been an increase in attendance of 225 students and that an additional amount is necessary for the educational support fund. We were not able to determine to a nicety just how much of an increase in the support fund is necessary, but your committee concluded after its investigation to recommend that a direct appropriation of \$30,000 for the educational support fund be made, \$15,000 of it to be available for the school year commencing in the fall of 1907, and the other \$15,000 to be available for the school year commencing in the fall of 1908.

EQUIPMENT.

Your committee is of the opinion that it is highly desirable that a large increase in the equipment be made. The wear and tear upon equipment in an institution of this sort is necessarily large and many of the scientific instruments are costly, consequently a thousand dollars does not add very materially to the equipment of the College. Your committee has decided to recommend that a direct appropriation of \$20,000 be made for the purpose of purchasing additional equipment.

ENGINEERING EXPERIMENT STATION.

Your committee is of the opinion that in view of the financial condition of the State and the large demands upon the public treasury that no additional appropriation should be made at this time for the Engineering Experiment Station.

HEATING PLANT.

We found that the buildings upon the westerly half of the campus are connected by a tunnel system, in which are placed pipes for the heating of the several buildings. The heat for these buildings is now supplied by a plant at the west end of the campus. This plant also provides the steam for the pumping of the water from the deep well and for the operation of the electric light and power plant. This light plant is of an obsolete type and its use should be abandoned as soon as the same can be done with advantage to the State. The remainder of the large buildings are heated by boilers that are placed in small frame buildings in the rear of the large buildings. The College has recently erected a large building to be used for the purpose of heating all of the College buildings. This building at the present time is supplied with one boiler, and there is in process of installation one electric lighting and power unit. A second unit is highly desirable, as is also an equipment of boilers. It is estimated that about \$54,000 will be required for the purpose of completing the tunnel system and installing the pipes and necessary electric wires therein. We find that a second lighting unit will cost about \$10,000, and that a system

of automatic stokers and conveyers will cost about \$10,000. These are both included in the estimate of \$100,000 that is presented by the College authorities. Your committee is of the opinion that the present lighting plant can be used for reserve purposes and that the new heating plant can be operated, for the present at least, without the automatic stokers and other appliances that are connected therewith. Under all the circumstances, your committee recommend an appropriation of \$75,000, to be used in completing the steam tunnels and supplying the new heating plant with boilers and other appliances. It will become necessary for a future General Assembly to make provision for another lighting unit, and also for automatic stokers.

WATER SYSTEM.

We found that the water supply at the College is inadequate to supply the demands of the College, and that some provision should be made for an increase. The principal source of supply at the present time is the deep well, and the pump that is used in raising the same is subject to frequent breakages, thereby endangering the State's property and subjecting the College management to great embarrassment. It is the purpose of the College authorities to install an air lift, and your committee is of the opinion that this is the most practical way of increasing the water supply. We therefore recommend that the request for \$10,000 to be used for this purpose be granted.

NEW ENGINEERING SHOP.

In the old Engineering Hall, we found the equipment of the machine shop installed. We found also that while the Engineering Department has increased several hundred in attendance that the Engineering shop is no larger now than it was when perhaps two hundred students were in the Engineering Department. We are of the opinion that justice to the Engineering Department of the College requires that a new Engineering shop shall be at once erected, and we recommend that \$10,000 be appropriated therefor.

REMODELING OF ENGINEERING HALL.

The Engineering Hall should be remodeled at an early date for a Structural and Hydraulic Laboratory, as the building at the present time is not in a good state of repair, and the demands of the College are such as that suitable quarters should be prepared for the structural and hydraulic work. In view of immediate necessities, however, and the great demands of other institutions, we have concluded to recommend that the request of the College authorities be not granted at this time.

GENERAL ENGINEERING LABORATORY BUILDING.

Your committee is of the opinion that this building should hereafter be erected from the millage tax. We do not recommend a general appropriation.

DAIRY AND POULTRY FARM EQUIPMENT.

Your committee is of the opinion that a very considerable amount of equipment should be added to the dairy and poultry farm, and we recommend that an appropriation of \$8,000 be made therefor.

MARGARET HALL ADDITION.

Margaret Hall is the dormitory used by the lady students of the College, and the attendance of young ladies has far outgrown the facilities afforded by this building. In the past year, a number of young women have refused to attend the College because of the fact that they could not secure accommodations in the ladies' dormitory. This is a condition of affairs that in the judgment of your committee should not be permitted long to continue. We do not believe, however, that an appropriation should be made at this time from the funds of the State, and we recommend that the College be authorized to hereafter construct the addition to Margaret Hall from the millage tax.

PURE BRED STOCK.

We are of the opinion that a large addition to the pure bred stock of the College is necessary, and we therefore recommend that an appropriation of \$10,000 be made for that purpose.

WALKS AND GRADING.

There is a pressing demand for the construction of a very considerable number of walks to connect the various buildings. The present walks in a large part are nothing more than cinder paths, which in bad weather fall into a deplorable state. We recommend an appropriation of \$5,000 for the purpose of constructing walks, and \$1,000 to be used for the purpose of grading.

FURNISHINGS FOR HALL OF AGRICULTURE.

The management of the College have requested an appropriation of \$30,000, to be expended in the purchase of furnishings for the new Hall of Agriculture. This building cannot be completed before the fall of 1908. An itemized statement of the cost of the furnishings has not been provided, and in view of the fact that the building will not likely be opened very much before the session of the Thirty-third General Assembly, we do not feel that an appropriation of more than \$20,000 should be made at this time, and we recommend that the appropriation for this purpose be fixed at that amount.

SUMMER SCHOOL.

Your committee is of the opinion that a summer school is desirable, but we do not think, in view of the large appropriations required for other purposes, that an appropriation should be made at this time.

ANNEX TO AGRICULTURAL BUILDING.

The Board of Trustees and Dean of Agriculture presented to your committee plans and specifications for the erection of an annex to the Agricultural Building.

It is proposed to construct this annex so that an addition will be provided, having a seating capacity of about 1,000. The two lower floors of the annex it is planned to use for Laboratory purposes. At the time the contract for the building was let, an option was secured from the contractor, under the terms of which the State was given the right to have the annex erected at the price of \$60,000. The College authorities now desire to exercise this option, and have submitted the plans and specifications to your committee. We are of the opinion that the awakening interest in agricultural extension will bring to the College a very considerable increase in the number of students within the very near future. And we are of the opinion that the Agricultural Building will be crowded by the time that it is completed. We are convinced that this annex is a necessity, and we recommend that the College authorities be authorized to proceed under the terms of the contract, and to erect this building at a cost not to exceed \$60,000, the same to be paid from the millage tax provided by the act of the Thirty-first General Assembly.

SUMMARY.

For educational support fund.....	\$ 30,000
For equipment fund.....	20,000
For completion of heating plant, tunnels, etc.....	75,000
For improvement of water system.....	10,000
For new engineering shop.....	10,000
For dairy and poultry farm equipment.....	8,000
For pure bred stock.....	10,000
For constructing cement sidewalk.....	5,000
For grading	1,000
For furnishings for Agricultural Hall.....	20,000
Total	\$ 189,000

Respectfully submitted,

R. C. STIRTON,

C. G. SAUNDERS,

Committee on Part of Senate.

JOHN LISTER,

B. F. FELT, JR.,

PAUL E. STILLMAN,

Committee on Part of House.

SOLDIERS' ORPHANS' HOME AT DAVENPORT.

To the President of the Senate and the Speaker of the House of Representatives of the Thirty-second General Assembly:

We, your joint committee appointed to visit the Iowa Soldiers' Orphans' Home at Davenport, submit the following report:

We all met at the Home early on the morning of Thursday, January 24th, and spent the greater portion of the day in looking about the institution and in talking with the superintendent, some of the children, and others connected with the place. The sight was a revelation to all of us, and we were particularly struck with two things—the magnitude and efficiency of this great charity enterprise of the State, and the small amount of appropriation asked by the Board of Control.

There were 520 of these poor little unfortunates in the Home at the time of our visit, ranging in age from less than one year old to ten years. Very few of them were full orphans, and only about half of them half orphaned, and the fact that nearly half were the children of separated parents is a sad commentary on our social condition in this regard. We have only the highest words of praise for Superintendent Sessions and his able corps of helpers; we believe he is the right man for the place, and that he has selected his helpers with great care. The atmosphere about the place was one of kindness—it was evident on every hand. When we went into one cottage where several of the smaller tots were, they came running to the superintendent and showed their affection for him by clasping him around the legs and tugging at his trousers, and one who was hardly old enough to talk held up his chubby little fists and said "Up! Up!" Other matters had to stop until he had taken the little one up in his arms and fondled it a little bit. When we were about the place, the little boys and girls gave him a smiling greeting and showed that they were fond of him. These incidents impressed us that they were being kindly cared for—and kindness is one of the very best things in this world.

All the little folks, so far as we could notice them, acted like little gentlemen and ladies. This is an important part of any child's education. There are seventeen cottages for these little folks, each cottage family being especially cared for by a matron; there are thirty or more, in most cases, in each family, and the matron has almost continuous charge over her family, night and day, and each matron seemed fond of and kind to her little flock. The cottages and the children seemed clean and well kept—much more so, we thought, than the average home. While the children are plainly fed and plainly dressed, yet both food and clothing seemed substantial and good. We visited the main dining room at the noon hour, where all the children, except the sick ones, eat together. We were not a little chagrined to see not a single chair was provided for these little folks at the dinner table—they were compelled to sit on little backless stools. An effort is constantly made to make this home as nearly like a good, private home as possible, but in this regard we thought these little stools were out of place, and we recommend that enough money be spent by this General Assembly to buy these little folks chairs to sit on while they eat their meals.

We commend the idea of the boys and girls being taught to work, and were glad to see the boys in some of the shops and at the engine room and in the bakery and in other places learning some of the practical things of life, which will be helpful to them after a while. There is in connection with the home a big farm, which is tended by the boys. The girls are taught housekeeping, sewing, and ironing, and we believe that this manual training idea in this institution should be carried out just as far as it is possible to carry it; most of the boys and girls will have to go out and fight life's battles alone after a while and their preparation should be thorough, as far as it can be made thorough.

We were glad to see the spirit of happiness all through the home. In the dining hall, as we went about among the tables, the little folks were mostly smiling and laughing with each other and their matrons, who were waiting on them. In the ironing room, the girls were singing, and everywhere we went we came in contact with happy folks.

While we recognize this home as being a great deal better than many of the poorer homes of our State, yet we believe it is much better to get as many of these children as possible out into better homes, where they will be well cared for; while they may not be any happier in such private homes, yet we think their opportunities and development will be better in the long run, and we recommend that the Board of Control make increased effort to find such homes for these little folks, guarding with jealous care, however, that these homes be the right places, and keeping an exceeding watchful eye on the children after they do enter these private homes. If this effort is made, it will result in more room in the Orphans' Home for other children in the State who need such a place. The majority of the children in this home now come from the larger cities of the State and there is quite a large percentage of the counties of the State who do not have any children in the home at all. Without definite knowledge concerning it, yet we believe there are hardly any counties in Iowa who do not have children who would be a great deal better off in this home, and whose conditions are such as to entitle them to the privileges, but the lack of knowledge concerning this institution accounts for their not taking advantage of it. If more room is made for other outside dependent children in the way outlined above, we believe it would be well for the Board of Control to take practical steps toward telling more of the people generally through the State, by means of the newspapers or the teachers or the ministers or in any other way they may deem best, concerning this home, its conditions, and advantages and object. All of the counties of the State pay, through taxation, for this home, and reasonable effort should be made to provide that as many as possible of the dependent children of these counties should be given the advantages of the Home for their development into strong and good men and women—orphans and dependent children have a hard enough time in this world at the best.

The Board of Control has, since the drowning of one of the inmates, several months ago, made a rule forbidding the boys going swimming down at the creek; we would recommend that this rule be withdrawn and the boys given the pleasure of this natural swimming place, rather than that the State should go to the expense of putting in an artificial swimming place. As we recall our own boyish impressions, this swimming hole in the creek would be one of the greatest pleasures after all.

The public is welcome to visit this Home at any time, and we would suggest that those who have not already visited it should take advantage of the first opportunity to do so; it is really a wonderful place, and a visit to it cannot help but make one a little more sympathetic and a little more humane.

As to the appropriations, we should recommend the following, the relative importance of the various items, in our judgment, being in the order in which they are placed:

For contingent and repair fund	\$4,000.00
For painting	1,000.00
For books and periodicals	500.00
For gymnasium apparatus	200.00
For permanent walks	300.00
For fences	300.00

And we further suggest that as soon as some of the more pressing

needs of some of the other State institutions be taken care of, that the matter of a hospital for this home be taken up.

JOHN L. WILSON,

W. D. JAMIESON,

Committee on Part of Senate.

HENRY DUNN,

HIRAM DEWELL,

J. D. SHAFER,

Committee on Part of House.

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

Senator Jones moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, SATURDAY, FEBRUARY 16, A. D. 1907.

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

Prayer was offered by the Rev. John B. Donaldson of Davenport, Iowa.

On request of Senator Kimmel, leave of absence was granted Senator Smith of Mitchell until Monday.

On request of Senator Dunham, leave of absence was granted Senator Moon for the day.

On request of Senator Gilliland, leave of absence was granted Senator Peterson for the day.

On request of Senator Turner, leave of absence was granted Senator Nichols until Monday.

On request of Senator Crossley, leave of absence was granted Senator Wilson of Clinton for the day.

PETITIONS AND MEMORIALS.

Senator Young presented petition of citizens of Webster county urging an appropriation for the benefit of the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Jones presented petition of druggists of Mahaska county asking the passage of the original "Newberry Bill" without amendment.

Referred to Committee on Pharmacy.

INTRODUCTION OF BILLS.

By Senator Kimmel, Senate File No. 197, a bill for an act to provide for the manufacture of binding twine in state prisons of Iowa.

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

By Senator Saunders, Senate File No. 198, a bill for an act to amend Section One (1), Chapter Twenty-one (21) of the acts of the Thirtieth General Assembly of the State of Iowa, relating to the compensation of county recorders, and to amend Section Four Hundred and Ninety-six (496) of the Code, relating to the compensation of deputy county recorders.

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

By Senator Saunders, Senate File No. 199, a bill for an act to amend Chapter Sixty-three (63), laws of the Thirty-first General Assembly, pertaining to the use of wide wagon tires.

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

By Senator Wilson of Fayette, Senate File No. 200, a bill for an act to repeal Section One Thousand One Hundred and Sixty-four (1164) of the Code, in relation to recording abstracts of votes in the office of the Secretary of State, and to enact a substitute therefor.

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

By Senator Bruce, Senate File No. 201, a bill for an act to repeal the law as it appears in Section One Thousand Three Hundred and Forty-seven-A (1347-A) of the Supplement to the Code and Chapter Forty-eight (48), acts of the Thirtieth General Assembly, relating to the vocation of peddlers, defining the term peddlers, so as to include transient merchants and itinerant vendors selling by sample or by taking orders for immediate or future delivery, and to enact a substitute therefor.

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

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. 126, a bill for an act to amend Section Fourteen Hundred and Fifty-seven (1457), Title Seven (7), Chapter Three (3) 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.

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. 195, a bill for an act amendatory of, and additional to, Section Nine Hundred Twelve (912) of the Code, in relation to the issuance of certificates or bonds in anticipation of special taxes by 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.

Senator McKlveen, from the Committee on Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Pharmacy, to whom was referred Senate File No. 19, a bill for an act requiring manufacturers and dealers to label white lead, paints, mixed paints, varnishes, fillers, stains and similar compounds and linseed oil; defining linseed oil and boiled linseed oil; and fixing the penalties for its violation: and vesting the execution and enforcement of this act in the State 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 it be amended by adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 19.

A BILL for an act requiring manufacturers and dealers to label white lead, paints, mixed paints, varnishes, and similar compounds, and linseed oil; defining linseed oil and boiled linseed oil, and fixing penalties for its violation; and repealing Sections Two Thousand Five Hundred and Ten-a (2510-a), Two Thousand Five Hundred and Ten-b (2510-b), Two Thousand Five Hundred and Ten-c (2510c), Two Thousand Five Hundred and Ten-d (2510-d) and Two Thousand Five Hun-

dred and Ten-e (2510-e) of the Supplement to the Code; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.

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

SECTION 1. Every person, firm or corporation who shall expose for sale, or sell, within this State, any white lead, paint, varnish, or linseed oil shall accurately label the same as hereinafter required.

SEC. 2. The term "paint," as used in this act, shall include white lead in oil or any compound intended for the same use, paste or semi-pastes, and liquid or mixed paint ready for use, or any compound intended for the same use.

SEC. 3. Labels required by this act shall clearly and distinctly state, in type not smaller than eight-point gothic caps, the name and address of the manufacturer of the article, or the dealer therein, or of the party for whom the same is manufactured and show, with substantial accuracy, the percentage of each ingredient, both solid and liquid, contained therein (in continuous list with no intervening matter of any kind); provided, that in case of paint other than white paint, the ingredients, other than the coloring material, may be treated as one hundred per cent, in which case it shall be necessary to state the description or trade-name of such coloring matter and state, with substantial accuracy, its chemical analysis. The label shall also state, in case of liquid paints, oils, varnishes and other compounds, on packages holding one quart or more, the net measure of contents of each can, package or container. In case of white lead and other paints and compounds, the label shall show on package weighing four pounds or more the net weight of each can, package or container.

SEC. 4. No person, firm or corporation shall manufacture for sale or expose for sale or sell within this State any flaxseed or linseed oil, unless the same answers a chemical test for purity recognized in the United States Pharmacopoeia, or any flaxseed or linseed oil as "boiled linseed oil" unless the same shall have been put in its manufacture to a temperature of 225 degrees Fahrenheit.

SEC. 5. No person, firm or corporation shall expose for sale or sell any flaxseed or linseed oil unless it is exposed for sale or sold under its true name, and each tank car, tank, barrel, keg, or vessel containing such oil has distinctly and durably marked thereon the true name of such oil in ordinary bold-faced capital letters not less than five lines pica in size, the words "pure linseed oil—raw," "pure linseed oil—boiled," as the case may be, and the name and address of the manufacturer thereof.

SEC. 6. It is hereby made the duty of the State Food and Dairy Commissioner to enforce the provisions of this act. The inspectors, assistants and chemists appointed by the State Food and Dairy Commissioner shall perform the same duties and have the same authority under this act as are prescribed by Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly. The State Food and Dairy Commissioner shall, from time to time, with the approval of the Executive Council, publish bulletins, giving the results of inspections and analyses, together with such additional information as he may deem suitable.

SEC. 7. Whoever shall violate any of the provisions of this act shall

be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding One Hundred Dollars (\$100.00).

SEC. 8. Sections Two Thousand Five Hundred and Ten-a (2510-a), Two Thousand Five Hundred and Ten-b (2510-b), Two Thousand Five Hundred and Ten-c (2510-c) Two Thousand Five Hundred and Ten-d (2510-d) and Two Thousand Five Hundred and Ten-e (2510-e) of the Supplement to the Code are hereby repealed.

SEC. 9. This act shall take effect on and after January 1, 1908.

And when so amended the bill do pass.

J. A. MCKILVEEN,
Chairman.

The substitute was read first and second time and passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 21, a bill for an act to legalize the special election of the town of Greenfield, Iowa, held September 10th, 1906, for erection of waterworks or sewers, and voting bonds therefor.

Also:

House File No. 119, a bill for an act making an appropriation to defray the expenses of the inaugural ceremonies.

W. B. SEELEY,
Chairman Senate Committee.

PAUL E. STILLMAN,
Chairman House Committee.

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 failed to pass the following bill, in which the concurrence of the House was asked:

Senate File No. 27, a bill for an act to amend Section Forty-seven (47) of the Code, relative to 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 passed the following bill, in which the concurrence of the House was asked:

Senate File No. 121, a bill for an act providing that Chapter Eight (8) of Title Twenty-one (21) of the Code, relating to removal of municipal officers, be made applicable to special charter 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. 164, a bill for an act to amend Section Seven Hundred (700) of the Supplement to the Code, relating to the licensing and regulation of keepers of intelligence or employment offices.

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 repeal Section Four Hundred and Sixty-nine (469) of the Code, and enact a substitute therefor, providing for the compensation of county 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. 12, a bill for an act to amend Chapter Two (2) of Title Eight (8) of the Supplement to the Code, relating 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.

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. 211, a bill for an act to legalize the making of certain plats made by the County Auditors of Iowa or by the County Surveyor for the owner 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 passed the following bill, in which the concurrence of the Senate is asked:

House File No. 156, a bill for an act to amend Section Seven Hundred and Seventy-one (771) of the Code Supplement and Section One (1), Chapter Twenty-nine (29) of the Acts of the Thirtieth General Assembly, relating to the construction of viaducts.

C. R. BENEDICT,
Chief Clerk.

The President announced that he had signed, in the presence of the Senate, House Files No. 119 and No. 21.

Senator Saunders was called to the chair at 10:15 o'clock.

THIRD READING OF BILLS.

Senate File No. 186, a bill for an act to repeal Section Three Hundred and Thirty-four (334) of the Code, relating to excusing persons from jury service and to enact a substitute therefor, 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. 174, a bill for an act to repeal Section Twenty-nine Hundred and Thirty-four (2934) of the Code, and to enact a substitute therefor, in relation to filing, indexing and recording deeds and other instruments unconditionally conveying real estate, 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. 195, a bill for an act amendatory of and additional to Section Nine Hundred and Twelve (912) of the Code, in relation to the issuance of certificates or bonds in anticipation of special taxes by towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bruce moved the adoption of the following amendment:

Amend by striking the word "daily" from the publication clause.

Adopted.

Senator Bruce moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eekles, Elerick, Ericson, Foley, Frud-den, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Kimmel, Lambert, McKlveen, McManus, Mattes, Maytag, Newberry, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuck-slager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette—39.

None.

Absent or not voting:

Senators DeWolf, Jamieson of Page, Jones, Kinne, Moon, Nichols, Peterson, Smith of Mitchell, Whipple, Wilson of Clinton, Young—11.

So the bill having received a constitutional majority was de-clared to have passed the senate and its title agreed to.

Senate File No. 126, a bill for an act to amend Section Fourteen Hundred and Fifty-seven (1457), Title Seven (7), Chapter Three (3) of the Supplement to the Code, with report of committee rec-ommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

By unanimous consent, on motion of Senator Crossley, Senate File No. 169, a bill for an act relating to State documents and publications and amending Section One (1), Chapter Five (5) of the acts of the Thirtieth General Assembly of the State of Iowa, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Crossley moved the adoption of the following amend-ment:

Amend the title by inserting after the word "publications" and before the word "and" the words "providing for the appoint-ment of a document librarian and fixing his salary."

Adopted.

Senator Crossley moved the adoption of the following amend-ment:

Amend Section One (1) by striking out of lines three (3) and four (4) the words "Fifteen Hundred" and inserting the words and figures, "Twelve Hundred (\$1200)," in lieu thereof.

Adopted.

Senator Crossley moved the adoption of the following amendment:

Amend the title by striking out the words "of the State of Iowa."

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Lambert, McManus, Mattes, Maytag, Newberry, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Young—40.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Jamieson of Page, Kinne, McKlveen, Moon, Nichols, Peterson, Smith of Mitchell, Whipple, 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.

Senate File No. 27, a bill for an act to amend Section Forty-seven (47) of the Code, relative to compensation of newspapers for the publication of laws.

Passed on file.

Senate File No. 121, a bill for an act providing that Chapter Eight (8) of Title Twenty-one (21) of the Code, relating to removal of municipal officers, be made applicable to special charter cities.

Passed on file.

House File No. 164, a bill for an act to amend Section Seven Hundred (700) of the Supplement to the Code, relating to the licensing and regulation of keepers of intelligence or employment offices.

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

House File No. 43, a bill for an act to repeal Section Four Hundred and Sixty-nine (469) of the Code, and enact a substitute therefor, providing for the compensation of county supervisors.

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

House File No. 12, a bill for an act to amend Chapter Two (2) of Title Eight (8) of the Supplement to the Code, relating 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 Public Highways.

House File No. 211, a bill for an act to legalize the making of certain plats made by the county auditors of Iowa or by the county surveyor for the owner, 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.

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

House File No. 156, a bill for an act to amend Section Seven Hundred and Seventy-one of the Code Supplement and Section One (1), Chapter Twenty-nine (29) of the acts of the Thirtieth General Assembly, relating to the construction of viaducts.

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

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Newberry, Senate File No. 19, a bill for an act requiring manufacturers and dealers to label white lead, paints, mixed paints, varnishes, fillers, stains and similar compounds, and linseed oil; defining linseed oil and boiled linseed oil; and fixing the penalties for its violation; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Newberry moved that the committee substitute be substituted for the original bill.

Carried.

The substitute was read for information.

Senator Newberry moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Lambert, McKlveen, McManus, Mattes, Maytag, Newberry, Saunders, Seeley, Smith of Des Moines, Stirton, Taylor, Wade, Warren,

Whiting, Young—36.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Dowell, Jamison of Clarke, Kinne, Moon, Nichols, Peterson, Smith of Mitchell, Stookey, Stuckslager, Turner, Whipple, Wilson of Fayette, 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 Turner moved that when the Senate adjourn it be until 1:30 P.M. Monday.

Carried.

Senator Maytag asked unanimous consent that 100 extra copies of the Journal of yesterday be printed.

Consent granted.

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

Senator Hopkins moved that the Senate do now adjourn.

Carried.

Senate adjourned until 1:30 o'clock Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, FEBRUARY 18, A. D. 1907.

Senate met in regular session at 1:30 o'clock P.M., President Garst presiding.

Prayer was offered by the Rev. A. L. DeMond of Buxton, Iowa.

On request of Senator Young, leave of absence was granted Senator Warren until tomorrow.

On request of Senator Stookey, leave of absence was granted Senator Jamison until tomorrow.

On request of Senator Moon, leave of absence was granted Senator Kinne until tomorrow.

On request of Senator Crossley, leave of absence was granted Senator Nichols until tomorrow.

On request of Senator Crossley, leave of absence was granted Senator Wilson of Clinton until tomorrow.

On request of Senator Saunders, leave of absence was granted Senator Whipple indefinitely on account of sickness.

PETITIONS AND MEMORIALS.

Senator Elerick presented petition of 370 citizens of Jefferson county favoring the establishment of supplement agricultural schools.

Referred to Committee on Appropriations.

Senator Young presented petition of constituents urging an appropriation for the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Peterson presented petition of merchants and business men of Wright county favoring a certain House bill to amend

Section Four Thousand and Eleven (4011) of the Code, relating to exemption of personal earnings.

Referred to Committee on Judiciary.

Senator Elerick presented petition of residents of Farmington, Iowa, urging an appropriation for the benefit of the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Allen presented petition of the Commercial Club of Storm Lake urging the passage of a bill providing an appropriation for the purpose of installing a short course in agriculture at Storm Lake.

Referred to Committee on Appropriations.

Senator Stirton presented petition of residents of Anamosa asking an appropriation to the State Board of Health for the benefit of the Bacteriological Laboratory.

Referred to Committee on Public Health.

Senator Wilson of Fayette presented petition of citizens of Lansing, Iowa, urging an additional appropriation to the State Board of Health for the benefit of the Bacteriological Laboratory.

Referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Jamieson of Page, Senate File No. 202, a bill for an act to repeal Sections Two Thousand One Hundred and Fifty-three (2153) and Two Thousand One Hundred and Fifty-five (2155) of the Code, relating to joint freight rates over two or more connecting lines of railway between points within this State, and to enact substitutes therefor.

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

By Senator Ericson, Senate File No. 203, a bill for an act requiring all corporations doing business within the State to make an annual report and pay an annual license fee to the Secretary of State.

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

By Senator Newberry, Senate File No. 204, a bill for an act to amend the law as it appears in Section Two Thousand Five

Hundred and Ninety-six-a (2596-a) of the Supplement to the Code, in relation to the sale of cocaine; and restricting the sale of certain other drugs.

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

By Senator Peterson, Senate File No. 205, a bill for an act providing for special assessments for sidewalk and street improvements in cities and towns upon the right of way of any railroad company fronting or abutting upon a street, highway, avenue, alley, public ground, wharf, landing or market place the same as upon any land or lot therein and providing for the collection thereof.

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

By Senator Peterson, Senate File No. 206, a bill for an act to amend Sections Two (2), Four (4) and Five (5) of Chapter Fifty-three (53) of the acts of the Thirtieth General Assembly, in regard to motor vehicles.

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

By Senator Stookey, Senate File No. 207, a bill for an act to empower the State Educational Board of Examiners to issue state certificates and state diplomas to graduates of higher institutions of learning.

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

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 asks to recall the following bill, in which the concurrence of the Senate was asked:

House File No. 96, a bill for an act to amend Section Seven Hundred and Ninety-two (792) of the Code relating to street improvements and special assessments and conferring upon incorporated towns the same powers possessed by cities in respect 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. 58, a bill for an act providing that Section Six Hundred and Fifty-four (654) of the Supplement to the Code, and Section Six Hundred and Seventy-two (672) of the Code, relating to the appointment and compensation of police matrons, be made applicable to special charter cities.

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. 162, a bill for an act to amend Section Three Thousand Nine Hundred and Fifty-five (3955) of the Code, and to provide for the issuance of an execution when an outstanding execution is lost or destroyed.

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. 97, a bill for an act making an appropriation to defray the mileage and expenses of the members of various committees sent by the Thirty-second 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 passed the following bill, in which the concurrence of the Senate is asked:

House File No. 158, a bill for an act to amend Section Twenty-six Hundred and Twenty-nine (2629) of the Supplement to the Code, Section Twenty-six Hundred and Thirty-one (2631) of the Code, and Section Twenty-six Hundred and Thirty-four-a (2654-a) of the Supplement to the Code, relating to the powers and duties of the State Educational Board of 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. 50, a bill for an act relating to rates of fraternal beneficiary societies.

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. 242, a bill for an act to legalize the submission to the electors of Chickasaw County, Iowa, the question, viz: Shall the Board of Supervisors of Chickasaw County, Iowa, be empowered to expend and appropriate a sum not to exceed twenty-five thousand dollars (\$25,000) for the erection of a poorhouse for Chickasaw 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. 157, a bill for an act to amend Section Fifteen (15), Chapter One Hundred and Twenty-two (122), laws 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. 94, a bill for an act to provide for the admission of deaf and dumb persons to the School for the Deaf at Council Bluffs, and the maintenance thereof, amendatory of Chapter Eleven (11), Title Thirteen (13) of the Code, relating to the School for the Deaf.

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. 140, a bill for an act to regulate the conduct of all employment offices or bureaus and provide for the examination of such offices or bureaus, and fixing a penalty for the violation of the provisions 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. 245, a bill for an act to legalize the incorporated town of Granger, Dallas County, Iowa, the election of its officers, the passage of all its ordinances and resolutions, and all acts done by the town 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. 204, a bill for an act to amend Section Seven Hundred Seventy-six (776) of the Code, relating to the publication of notices of questions submitted to the voters of cities and 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. 179, a bill for an act to amend Chapter One Hundred Eighty-six (186) of the laws of the Thirtieth General Assembly, relating to meandered lake beds and enlarging the meaning of "a bona fide purchaser" under Section Seven (7) of said 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. 201, a bill for an act to reimburse John F. Riggs, Superintendent of Public Instruction, for sums paid out by him on account of the State Educational Board of 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. 239, a bill for an act to amend Section One Thousand Seven Hundred and Sixty-eight (1768) of the Code, relating to life insurance 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. 209, a bill for an act to provide for the assessment and taxation of rural and farm telephone lines, and amendatory and additional to Chapter One (1), Title Six (6) of the Code of Iowa.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Lambert, Senate File No. 208, a bill for an act to amend Section Thirty-six (36) of the Code, relative to the publication of acts of the General Assembly.

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

By Senator Hughes, Senate File No. 209, 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 Hughes, Senate File No. 210, 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, relative to the safeguarding of machinery.

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

By Senator Hughes, Senate File No. 211, 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.

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

By Senator Dowell, Senate File No. 212, a bill for an act to provide for the government of certain cities (amending Title V (5) of the Code).

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

By Senator Dowell, Senate File No. 213, a bill for an act entitled "an act to provide for a public school teachers' retirement fund in school districts having a population of over ten thousand (10,000) inhabitants."

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

By Senator Dowell, Senate File No. 214, a bill for an act relating to certain powers to be exercised by the stockholders and directors of railway and other public service corporations heretofore or hereafter organized under the laws of this State, and

defining quorums at their meetings, being an act amendatory to Chapter One (1), Title IX (9) of the Code.

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

Senator Smith of Mitchell offered the following resolution:

Resolved, That when the Senate adjourns Thursday, February 28th, it be until 2:00 o'clock p. m., Monday, March 4th, 1907.

Laid over under the rules.

Senator Dowell offered the following resolution.

Resolved, That the Custodian of Public Buildings and Grounds be instructed to place in the Bill Room a suitable desk for the use of the Sergeant-at-Arms.

Senator Dowell moved the adoption of the resolution.

Adopted.

HOUSE MESSAGES CONSIDERED.

House asks the recall of House File No. 96, a bill for an act to amend Section Seven Hundred and Ninety-two (792) of the Code, relating to street improvements and special assessments and conferring upon incorporated towns the same powers possessed by cities in respect thereto.

Senator Elerick moved that the request of the House be granted.

Carried.

House amended and passed Senate File No. 58, a bill for an act providing that Section Six Hundred and Fifty-four (654) of the Supplement to the Code, and Section Six Hundred and Seventy-two (672) of the Code, relating to the appointment and compensation of police matrons, be made applicable to special charter cities.

Passed on file.

House amended and passed Senate File No. 162, a bill for an act to amend Section Three Thousand Nine Hundred and Fifty-five (3955) of the Code, and to provide for the issuance of an execution when an outstanding execution is lost or destroyed.

Passed on file.

Senate File No. 97, a bill for an act making an appropriation to defray the mileage and expenses of the members of various

committees sent by the Thirty-second General Assembly to visit the several State institutions.

Passed on file.

House File No. 158, a bill for an act to amend Section Twenty-six Hundred and Twenty-nine (2629) of the Supplement to the Code; Section Twenty-six Hundred and Thirty-one (2631) of the Code; and Section Twenty-six Hundred and Thirty-four-a (2634-a) of the Supplement to the Code, relating to the powers and duties of the State Educational Board of Examiners.

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

House File No. 150, a bill for an act to amend Section Four Hundred and Thirty-two (432) of the Code, pertaining to meetings of Soldiers' Relief Commission.

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

House File No. 242, a bill for an act to legalize the submission to the electors of Chickasaw county, Iowa, the question, viz: Shall the board of supervisors of Chickasaw county, Iowa, be empowered to expend and appropriate a sum not to exceed Twenty-five Thousand Dollars (\$25,000) for the erection of a poorhouse for Chickasaw county, Iowa?

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

House File No. 157, a bill for an act to amend Section Fifteen (15), Chapter One Hundred and Twenty-two (122), laws of the Thirty-first General Assembly.

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

House File No. 94, a bill for an act to provide for the admission of deaf and dumb persons to the School for the Deaf at Council Bluffs, and the maintenance thereof (amendatory of Chapter Eleven (11), Title Thirteen (13) of the Code, relating to the School for the Deaf).

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

House File No. 140, a bill for an act to regulate the conduct of all employment offices or bureaus and provide for the examina-

tion of such offices or bureaus, and fixing a penalty for the violation of the provisions thereof.

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

House File No. 245, a bill for an act to legalize the incorporation of the town of Granger, Dallas county, Iowa, the election of its officers, the passage of all its ordinances and resolutions, and all acts done by the town council of said town.

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

House File No. 204, a bill for an act to amend Section Seven Hundred Seventy-six (776) of the Code, relating to the publication of notices of questions submitted to the voters of cities and incorporated towns.

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

House File No. 179, a bill for an act to amend Chapter One Hundred Eighty-six (186) of the laws of the Thirtieth General Assembly, relating to meandered lake beds and enlarging the meaning of "a bona fide purchaser" under Section Seven (7) of said act.

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

House File No. 201, a bill for an act to reimburse John F. Riggs, Superintendent of Public Instruction, for sums paid out by him on account of the State Educational Board of Examiners.

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

House File No. 239, a bill for an act to amend Section One Thousand Seven Hundred and Sixty-eight (1768) of the Code, relating to life insurance companies.

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

House File No. 209, a bill for an act to provide for the assessment and taxation of rural and farm telephone lines, and amendatory and additional to Chapter One (1), Title Six (6) of the Code of Iowa.

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

House File No. 50, a bill for an act relating to rates of fraternal beneficiary societies.

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

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. 211, a bill for an act to legalize the making of certain plats made by the County Auditors of Iowa or by the County Surveyor for the owner, 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:

Amend Section One (1) of said bill by striking out the word "all" appearing in the next to the last line thereof, and substituting therefor the word "such."

Amend Section Two (2) of said bill by striking out the words "in such respects been made" appearing in the sixth line thereof, and substituting in lieu thereof the words "been signed and acknowledged and".

And when so amended the bill 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. 181, a bill for an act to amend Chapter Eleven (11) of the laws of the Thirtieth (30th) General Assembly, entitled "An act enlarging the powers of the District Court, and to regulate the treatment and control of defendant, neglected and delinquent children, additional to Chapter Five (5) of Title III (3) of the Code, relating 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 amended as follows:

That Section Three (3) of said bill be amended by striking out the word "shall" in the second line thereof, and inserting in lieu thereof the word "may".

And when so amended the bill 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 House File No. 81, a bill for an act to amend Section Five Hundred Twenty (520) of the Code, in relation to the examination of witnesses by the Coroner, and to provide a reporter, to be appointed by the Coroner, at inquests or investigations, beg leave to report that they have 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. 81.

A BILL for an act to amend Section Five Hundred Twenty (520) of the Code, in relation to the examination of witnesses by the Coroner, and to provide for a reporter, to be appointed by the Coroner, at inquests or investigations, and making provision for the payment thereof.

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

SECTION 1. That Section Five Hundred and Twenty (520) of the Code be, and is hereby amended, by adding after the word "case" in the seventh line thereof, the following words and figures, to-wit: "For the purpose of preserving the testimony of such witnesses, and all the acts and doings of the Coroner and jury, the Coroner may appoint a shorthand reporter at a compensation of not to exceed fifty cents (50c) per hour, for time actually employed in any inquest or investigation, and for extending the notes, and when such reports are extended into longhand by the said shorthand reporter and certified to by the Coroner and said reporter to the effect that they contain a full, true and complete report of all proceedings, they shall be the official record of the said inquest or investigation. The said shorthand reporter shall, before entering upon his duties as such reporter, take an oath to be administered by the Coroner, that he will faithfully take down in shorthand the evidence as it is given by the witnesses at such inquest or investigation, and that he will correctly extend the same into longhand.

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Substitute read first and second time and 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 House File No. 7, a bill for an act to regulate the transportation of dead bodies and the practice of embalming and to provide for examination and license of embalmers and to provide penalties for violation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

H. YOUNG,
Chairman.

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. 63, a bill for an act to repeal Sections Four Thousand Nine Hundred and Forty-six-c (4946-c), Four Thousand Nine Hundred and Forty-six-d (4946-d) and Four Thousand Nine Hundred and Forty-six-e (4946-e) of the Supplement of the Code, relating to the disposition of dead bodies and providing for them for anatomical purposes and providing penalties for violation and to enact in lieu thereof the following:—beg leave to report that they have 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.

H. YOUNG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 80, a bill for an act appropriating money to J. H. Cownie, Jr., R. R. McCutchen and F. M. Hubbell, as trustees, to reimburse them for the funds advanced and used in the purchase of a tract of land for the State as an addition to 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 amended by striking out the word "Daily" in the third line of the publication clause, and when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

Senate File No. 103, a bill for an act to amend Section Five Hundred and Ninety-one (591) of the Code, relative to compensation of township clerks, was taken up and considered.

The bill was read for information.

Senator Elerick moved that the rule be suspended, 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, Bruce, Burgess, Clark, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hopkins, Hughes Jackson, Jamieson of Page, Jones, Kimmel, Lambert, Mc-Klveen, McManus, Mattes, Maytag, Newberry, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Wade, Wilson of Fayette, Young—35.

The nays were:

Senators Allen, Moon—2.

Absent or not voting:

Senators DeArmand, DeWolf, Frudden, Jamison of Clarke, Kinne, Nichols, Peterson, Stuckslager, Turner, Warren, Whipple, Whiting, Wilson of Clinton—13.

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

House File No. 131, a bill for an act to amend Section Four Hundred and Twenty-two (422) of the Code, relative to the power of boards of supervisors, and granting thereunto additional powers, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Hopkins moved that the committee substitute be substituted for the original bill.

Carried.

Senator Hopkins 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:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dunham, Eckles, Elerick, Ericson, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Lambert, Mc-Klveen, McManus, Mattes, Maytag, Moon, Newberry, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Wade, Whiting, Wilson of Fayette, Young—36.

The nays were:

None.

Absent or not voting :

Senators DeWolf, Dowell, Foley, Frudden, Jamison of Clarke, Jones, Kinne, Nichols, Peterson, Stuckslager, Turner, Warren, Whipple, Wilson of Clinton—14.

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

Senate File No. 181, a bill for an act to amend Chapter Eleven (11) of the laws of the Thirtieth General Assembly, entitled "An act enlarging the powers of the District Court, and to regulate the treatment and control of defendant, neglected and delinquent children. (Additional to Chapter Five (5) of Title III (3) of the Code, relating to the District Court), with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Dunham moved the adoption of the following amendment:

That Section Three (3) of said bill be amended by striking out the word "shall" in the second line thereof, and inserting in lieu thereof the word "may".

Adopted.

The bill as amended was read for information.

Senator Jackson moved the adoption of the following amendment:

Amend Section Two (2) by inserting after the word "appoint" in the seventh line of the original bill the words "not to exceed".

Adopted.

The bill as amended was read for information.

Senator Dunham moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Wade, Whiting, Wilson of

Fayette, Young—39.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Frudden, Jamison of Clarke, Kinne, Nichols, Peterson, Stuckslager, Turner, Warren, Whipple, Wilson of Clinton—11.

Senator Dunham moved the adoption of the following amendment to the title of said bill:

Adding after the word "amend" the words and figures "Section Six (6) and".

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. 97, 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-second General Assembly to visit the several State institutions, was taken up and considered.

Senator Mattes moved that the Senate concur in the following House amendment:

Amend Senate File No. 97 by striking out the initials "J. A." in line fifty-five of the printed bill and inserting the initials "F. N." in lieu thereof.

On the question, "Shall the amendment be concurred in?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones-Kimmel, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Wade, Wilson of Fayette, Young—38.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Frudden, Jamison of Clarke, Kinne, Nichols,

Peterson, Stuckslager, Turner, Warren, Whipple, Whiting, Wilson of Clinton—12.

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

Senator Dowell offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That the duties of the Janitress of the State House shall be to properly care for the ladies' toilet rooms, and no other.

Laid over under the rules.

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

Senator Dunham moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FEBRUARY 19, A. D. 1907.

Senate met in regular session at 10:00 o'clock a. m., President Garst presiding.

Prayer was offered by Rev. Solomon S. Hilscher of Vinton, Iowa.

On request of Senator DeArmand, leave of absence was granted Senator DeWolf until Wednesday.

PETITIONS AND MEMORIALS.

Senator Dowell presented petition of the Seventh Ward Municipal Club of Des Moines, protesting against the passage of the bill providing for a commission plan of government for cities of the first class.

Referred to Committee on Cities and Towns.

Senator Maytag presented petition of eighty-six constituents, asking an appropriation for the benefit of the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Stuckslager presented petition of constituents, favoring the passage of the measure known as the State Marshall Bill.

Referred to Committee on Suppression of Intemperance.

Senator Dunham presented petition of Kinsman Post, No. 7, G. A. R., of Des Moines, Iowa, favoring the passage of a law prohibiting all games on Memorial Day.

Referred to Committee on Military.

Senator McKlveen presented petition of residents of Russell, Iowa, asking an appropriation for the benefit of the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Ericson presented petition of Kate Shelley Lodge, No. 204, B. of R. T., Boone, Iowa, protesting against the proposed amendment to Section Forty Hundred and Eleven (4011) of the Code.

Referred to Committee on Insurance.

President Garst presented petition of Kinsman Post, No. 7, G. A. R., located at Des Moines, Iowa, urging the passage of a law prohibiting all games, racing, etc., on Memorial Day.

Referred to Committee on Judiciary.

Senator Gilliland presented two petitions of constituents, favoring the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Jackson, Senate File No. 215, a bill for an act to amend the law as it appears in Sections Six Hundred and Seventy-nine-a (679-a), Six Hundred and Seventy-nine-F (679-F), Six Hundred and Seventy-nine-G (679-G) and Six Hundred and Seventy-nine-h (679-h) of the Supplement to the Code, relating to Board of Police and Fire Commissioners in certain cities of the first class, and providing for the taking effect thereof.

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

By Senator Bruce, Senate File No. 216, a bill for an act regulating fraternal beneficiary societies, orders or associations, establishing a standard mortality table therefor, requiring adequate rates with an annual accounting and distribution, providing for valuation of certificates, designating plans of insurance and beneficiaries, and declaring any contract in conflict herewith void.

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

By Senator Stuckslager, Senate File No. 217, a bill for an act making appropriations to the State Historical Society of Iowa.

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

Senator Smith of Mitchell moved that the House be requested to return Senate concurrent resolution relative to time of adjournment on February 28th.

Carried.

Senator Turner offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Resolved by the Senate, the House of Representatives concurring, That the Secretary of State be, and he is, hereby directed to furnish the assistant secretaries of the Senate, the assistant clerks of the House, the Journal clerks of both Houses, and the engrossing clerks of both Houses, each with a copy of the Code and Supplement to the Code, and the session laws of the Thirtieth, Thirty-first and Thirty-second General Assemblies.

Laid over under the rule.

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. 205, a bill for an act providing for special assessments for sidewalk and street improvements in cities and towns upon the right of way of any railroad company fronting or abutting upon a street, highway, avenue, alley, public ground, wharf, landing or market place the same as upon any land or lot therein and providing for the collection 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 Dowell, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 242, a bill for an act to legalize the submission to the electors of Chickasaw county, Iowa, the question, viz: Shall the Board of Supervisors of Chickasaw county, Iowa, be empowered to expend and appropriate a sum not to exceed Twenty-five Thousand Dollars (\$25,000) for the erection of a poorhouse for Chickasaw county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

By striking out the words "of Iowa" in the eighth (8th) line of the first (1st) paragraph of said bill.

And when so amended the bill 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 House File No. 111, a bill for an act to define and punish lewd, immoral and lascivious acts and to provide penalty for the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend Section One (1) by striking out the word "sixteen" in the first (1st) line thereof, and inserting in lieu thereof the word "eighteen," and by striking out the word "fifteen" in the third (3d) line of said section and inserting in lieu thereof the word "thirteen."

That Section Two (2) be amended by striking out the word "Daily" in the third (3d) line thereof.

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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 provide for the compilation of the laws of the Thirtieth, Thirty-first and Thirty-second General Assemblies, and the laws as they appear in the Code Supplement; to annotate the same and the Code and Rules of the Supreme Court to and including the May term, 1907, of the Supreme Court, and to publish the said compilations and annotations as a "Supplement to the Code, 1907," and to provide for the appointing of a supervising committee and establish a salary for the editor of such Supplement to the Code and making an appropriation therefor.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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 provide for the compilation of the laws of the Thirtieth, Thirty-first and Thirty-second General Assemblies, and the laws as they appear in the Code Supplement; to annotate the same and the Code and Rules of the Supreme Court to and including the May term, 1907, of the Supreme Court, and to publish the said compilations and annotations as a "Supplement to the Code, 1907," and to provide for the appoint-

ing of a supervising committee and establish a salary for the editor of such Supplement to the Code and making an appropriation therefor.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

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 provide for the compilation of the laws of the Thirtieth, Thirty-first and Thirty-second General Assemblies, and the laws as they appear in the Code Supplement; to annotate the same and the Code and Rules of the Supreme Court to and including the May term, 1907, of the Supreme Court, and to publish the said compilations and annotations as a "Supplement to the Code, 1907," and to provide for the appointing of a supervising committee and establish a salary for the editor of such Supplement to the Code and making an appropriation therefor.

W. B. SEELEY,

Chairman.

THIRD READING OF BILLS.

Senate File No. 58, a bill for an act providing that Section Six Hundred and Fifty-four of the Supplement to the Code, and Section Six Hundred and Seventy-two of the Code, relating to appointment and compensation of police matrons, be made applicable to special charter cities, was taken up and considered.

Senator Frudden moved that the Senate concur in the following House amendment:

Strike out the publication clause.

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saun-

ders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Bruce, DeWolf, Jamison of Clarke, McManus, Warren, Whipple—6.

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

Senate File No. 78, a bill for an act to provide for the examination and registration of graduated nurses, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Young moved the adoption of the following amendment:

Amend by striking out the words "Practice professional nursing or publicly profess to practice such nursing" between the word "to" in the first line and the word "without" in the second line of Section One (1) and insert the following: "Profess to be a graduate and registered nurse."

Adopted.

Senator Young moved the adoption of the following amendment:

Amend by striking out the word "three" and figure "3" in line twelve (12) of Section Two (2), and inserting in lieu thereof the word "two" and the figure "2" therein.

Adopted.

Senator Young moved the adoption of the following amendment:

Amend by inserting "of five dollars" after the word "fee" in the sixth (6th) line from the last line in Section Two (2).

Adopted.

Senator Jones moved the adoption of the following amendment:

Move to strike out of Section Two (2), in lines sixteen (16), seventeen (17) and eighteen (18), the following words: "and who have been

engaged in the practice of nursing for one year prior to the passage of this act."

Adopted.

Senator Dunham moved the adoption of the following amendment:

Amend Section Four (4) by striking out the words "professional nursing" and insert in lieu thereof the words "nursing as a graduate and registered nurse."

Adopted.

Senator Dunham moved the adoption of the following amendment:

Amend Section Four (4) by striking out the word "or" appearing between the words "graduate" and "registered" in third (3d) line and insert in lieu thereof the word "and."

Adopted.

Senator Gilliland moved the adoption of the following amendment:

Amend by striking out the word "imprisonment" in the last line of Section Eight (8) and insert in lieu thereof the word "imprisoned."

Adopted.

Senator Gilliland moved the adoption of the following amendment:

Amend by striking out the word "for" in last line of Section Eight (8).

Adopted.

Senator Lambert moved to amend by striking out the publication clause.

Adopted.

Senator Gilliland moved the adoption of the following amendment:

Amend the title of said bill by changing the word "practicing" to "practice."

Adopted.

Senator Young moved that the committee substitute be substituted for the original bill.

Carried.

The substitute, as amended, was read for information.

Senator Young moved that the rule be suspended, the bill be con-

sidered 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericsen, Foley, Frudden, Gilliland, Hughes, Jackson, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, McManus, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Gale, Hopkins, Jamieson of Page, Jones, Mattes, Warren, Whipple, Whiting—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 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 pay the additional employes of the Thirty-second 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. 49, a bill for an act to provide for the purchase of legislative references to and indexes of current legislation 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. 107, a bill for an act to repeal Section One Thousand Eight Hundred and Sixty-nine (1869) of the Code of Iowa, relating to pay of, and loans to, officers of state and savings banks, and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

House File No. 242, a bill for an act to legalize the submission to the electors of Chickasaw county, Iowa, the question, viz: Shall the Board of Supervisors of Chickasaw county, Iowa, be empowered to expend and appropriate a sum not to exceed Twenty-five Thousand Dollars (\$25,000.00) for the erection of a poorhouse for Chickasaw county, Iowa, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Foley moved the adoption of the following committee amendment:

Amend by striking out the words "of Iowa" in the eighth (8th) line of the first paragraph of said bill.

Adopted.

The bill, as amended, was read for information.

Senator Foley moved that the rule be suspended, the reading just had be considered its third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Gale, Jamieson of Page, Jamison of Clarke, Saunders, Stuckslager, Warren, Whipple—8.

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

Senator Lambert offered the following concurrent resolution:

Be it Resolved by the Senate, the House concurring, That the Secretary of State be directed to compile and publish in pamphlet form for general distribution, six thousand (6,000) copies each of the drainage and the road laws of the State, as soon as possible after the adjournment of the Thirty-second General Assembly.

Senator Lambert moved the adoption of the concurrent resolution.

Adopted.

HOUSE MESSAGES CONSIDERED.

Senate File No. 102, a bill for an act making an appropriation to pay the additional employes of the Thirty-second General Assembly.

Passed on file.

Senate File No. 49, a bill for an act to provide for the purchase of legislative references to, and indexes of, current legislation and making an appropriation therefor.

Passed on file.

House File No. 107, a bill for an act to repeal Section Eighteen Hundred and Sixty-nine (1869) of the Code of Iowa, relating to pay of, and loans to, officers of State and savings banks, and to enact a substitute therefor.

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

THIRD READING OF BILLS.

On motion of Senator Young, House File No. 7, a bill for an act to regulate the transportation of dead bodies and the practice of embalming and to provide for examination and license of embalmers and to provide penalties for violation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Lambert moved the adoption of the following amendment:

Amend by striking out the publication clause.

Adopted.

Senator Young 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:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Erieson, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Whiting, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Allen, DeWolf, Hopkins, Lambert, Nichols, Saunders, Warren, Whipple, Wilson of Fayette—9.

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. 44.

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

Senator Maytag moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, FEBRUARY 20, A. D. 1907.

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

Prayer was offered by the Rev. Otterbein O. Smith of Council Bluffs, Iowa.

On request of Senator Frudden, leave of absence was granted Senator DeArmand until tomorrow.

PETITIONS AND MEMORIALS.

Senator Smith of Mitchell presented petition of citizens of Osage, Iowa, asking the establishment of a woman's reformatory in some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Stookey presented four petitions of constituents asking the establishment of a woman's reformatory in some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Stuckslager presented petition of constituents asking an appropriation for the benefit of the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Jamison of Clarke presented petition of citizens of Clarke county asking the establishment of a woman's reformatory at some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Dowell presented petition of Swedish-American Republican club of Des Moines, protesting against the Galveston plan of governing cities, and favoring the plan suggested by

Governor Cummins in his message to the Thirty-second General Assembly.

Referred to Committee on Cities and Towns.

Senator Dowell presented petition of citizens of Des Moines asking the establishment of a woman's reformatory in some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Kinne presented petition of citizens of Clay county asking an appropriation to the State Board of Health for the benefit of the Bacteriological Laboratory.

Referred to Committee on Appropriations.

Senator Saunders presented remonstrance of Local No. 212 American Federation of Musicians of Council Bluffs, Iowa, to House File No. 135.

Referred to Committee on Judiciary.

Senator Kinne presented petition of citizens of Milford township and Terril, Dickinson county, asking the establishment of a woman's reformatory at some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Nichols presented petition of citizens of Wapello county asking the establishment of a woman's reformatory at some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Clarke presented petition of the Big Four Farmers' Institute of Belle Plaine favoring a flat two-cent passenger fare: joint rates for short hauls; a primary bill; the change of the Hughes anti-pass law to conform to the United States anti-pass law; closing of the quail season for five years; making dog tax available for damage to live stock by dogs; the change of the denatured alcohol law to allow small manufacturers to manufacture their own alcohol; the abolishment of the "free seed graft"; the passage of a just demurrage bill; and protesting against the placing of the State colleges under a Board of Control, and against a change in the meat inspection law.

Referred to Committee on Judiciary.

Senator Dunham presented petitions of citizens of Keokuk

and Delaware counties asking the establishment of a woman's reformatory in some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Mattes presented petition of citizens of Jefferson, Greene county, Iowa, asking the establishment of a woman's reformatory in some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Peterson presented petition of citizens of New Providence, Hardin county, asking the establishment of a woman's reformatory in some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Eckles presented three petitions of citizens of Marshall county asking the establishment of a woman's reformatory in some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Wilson of Fayette presented petition of citizens of Oelwein, Iowa, asking the establishment of a woman's reformatory in some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Newberry presented petition of citizens of Volga City and Edgwood, Clayton county, asking the establishment of a woman's reformatory in some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Bruce presented petition of citizens of Griswold, Iowa, asking the establishment of a woman's reformatory in some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Allen presented petition of citizens of Storm Lake asking an appropriation to the State Board of Health for the benefit of the Bacteriological Laboratory.

Referred to Committee on Appropriations.

Senator Maytag presented petition of constituents asking the passage of the measure of the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Jones presented petition of Local Union No. 2140,

United Mine Workers of America, protesting against the passage of Senate File No. 96 and House File No. 160.

Referred to Committee on Printing.

Senator Jones presented petition of the City Council of Oskaloosa, Iowa, asking the passage of a bill permitting cities and towns to make an additional levy of three mills in the sewer fund.

Referred to Committee on Cities and Towns.

Senator Jones presented petition of citizens of Oskaloosa, Iowa, asking the establishment of a woman's reformatory in some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Dunham presented petition of constituents asking an appropriation for the benefit of the Benedict Home of Des Moines.

Referred to Committee on Appropriations.

Senator Wilson of Clinton presented petition of Hand in Hand Lodge, No. 183, Brotherhood of Railroad Trainmen, protesting against the proposed amendment to Section Forty Hundred and Eleven (4011) of the Code, relating to exemption of personal earnings.

Referred to Committee on Judiciary.

Senator Bleakly presented petition of citizens of Battle Creek asking the establishment of a woman's reformatory in some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Foley presented petition of citizens of Charles City asking the establishment of a woman's reformatory in some city where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Saunders presented petition of citizens of Council Bluffs asking an appropriation to the State Board of Health for the benefit of the Bacteriological Laboratory.

Referred to Committee on Public Health.

Senator Ericson presented petition of citizens of Ogden, Iowa, asking an appropriation to the State Board of Health for the benefit of the Bacteriological Laboratory.

Referred to Committee on Appropriations.

Senator Dowell presented petition of citizens of Polk county asking an appropriation for the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Nichols, Senate File No. 218, a bill for an act to amend Section Twenty-seven Hundred and Eighty (2780) of the Code, relative to the compensation of school officers.

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

By Senator Jackson, Senate File No. 219, a bill for an act authorizing the Executive Council to build walks and steps and make necessary repairs around the Capitol building and grounds and making an appropriation therefor.

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

By Committee on Appropriations, Senate File No. 220, a bill for an act making an appropriation for the benefit of the State Hospital at Mt. Pleasant.

Read first and second time and placed on Calendar.

By Senator Clark, Senate File No. 221, a bill for an act to repeal Sections Three Hundred and Ninety-eight (398) and Four Hundred (400) of the Code, in reference to the relocation of county seats, and to enact substitutes therefor.

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

By Senator Gale, Senate File No. 222, a bill for an act to amend Section Four Hundred and Thirty-three (433), Title Four (4), Chapter Two (2), laws of the Thirtieth General Assembly, fixing the amount supervisors may allow for the burial of deceased soldiers.

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

By Senator Dunham, Senate File No. 223, 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 Sup-

plement 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.

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

By Committee on Appropriations, Senate File No. 224, a bill for an act making an appropriation to enable the State Railroad Commission to make an investigation of railway freight rates.

Read first and second time and placed on Calendar.

By Senator Dunham, Senate File No. 225, a bill for an act repealing Section Twenty-eight Hundred and Eighty-one (2881) of the Code, Chapter One Hundred and Fifteen (115) of the acts of the Twenty-eighth General Assembly, and Section Six (6) of Chapter One Hundred and Fourteen (114) of the acts of the Twenty-eighth General Assembly, relating to employes in the State Library; fixing their salaries and providing for their bonds, and enacting a substitute therefor.

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

By Senator DeWolf, Senate File No. 226, a bill for an act to reimburse S. B. Humbert for services rendered as superintendent of construction of the monuments at Lookout Mountain and one at either end of Missionary Ridge and to make an appropriation therefor.

Read first and second time and referred to Committee on Claims, to be referred to Committee on Appropriations later.

REPORT OF COMMITTEE.

Senator Stuckslager, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate File No. 184, a bill for an act to amend Section Eighteen Hundred and Seventy-three (1873) of the Code, relating to publication of reports 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 striking therefrom the publication clause, and when so amended the bill do pass.

W. C. STUCKSLAGER,
Chairman.

Order 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. 104, a bill for an act to enable courts in counties in which lawfully constituted juries cannot be drawn to provide for the preparation of new jury lists, and for the drawing and summoning of juries therefrom.

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 prohibit combination among grain elevator men and to prohibit any person, company, partnership, association or corporation engaged in the business of grain dealing or owning or operating grain elevators from combining or entering into any agreement, contract or trust to pool or fix the prices to be paid for grain or to prevent the free action of competition in the buying of grain, or the selling of grain, and to provide punishment 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 Senate is asked:

House File No. 92, a bill for an act to amend the law as it appears in Section Sixteen Hundred and Sixty-one-a (1661-a) of the Supplement to the Code, relative to State aid to District or County Agricultural Societies.

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. 145, a bill for an act to legalize conveyances of real estate by executors, administrators and guardians in this or foreign States.

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. 65, a bill for an act to safeguard the traveling public and employes upon railroads, by limiting the hours of service of employes thereon, providing for the filing of complaints, the investigation thereof, and the securing of evidence thereto, additional to Chapter Five (5), Title Ten (10) 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. 247, 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.

C. R. BENEDICT,
Chief Clerk.

REPORTS OF COMMITTEES.

Senator Gilliland, 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. 114, a bill for an act relating to the powers of the local Boards of Health, amending Section Twenty-five Hundred and Sixty-eight (2568) 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.

SHIRLEY GILLILLAND,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Gilliland 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. 117, a bill for an act to amend Section Thirty-four Hundred and Forty-seven (3447) of the Code, relating to the limitation of 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 indefinitely postponed.

SHIRLEY GILLILLAND,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Gilliland 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. 123, a bill for an act to repeal Section Forty-

nine Hundred and Sixty-nine (4969) of the Code, providing for the punishment of cruelty to animals, 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:

By striking from the first line thereof, following the word "to", the word "repeal" and insert in lieu thereof the word "amend"; also by striking from the title all following the word "animals" in the second line thereof.

Also by striking from the second and third line of Section One (1) of the bill all following the word "hereby" and inserting in lieu thereof the words "amended so as to read as follows:"

Also by striking out the word and figure "Sec. 2" from the fourth line of the bill.

Also by striking from the bill all of Sections Three (3), Four (4), and Five (5).

And when so amended the bill do pass.

SHIRLEY GILLILLAND,
Chairman.

Adopted.

Senator Gilliland 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. 112, a bill for an act to amend Section Thirteen Hundred and Seventy-three (1373) of the Code, relating to the correction of erroneous assessments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

By inserting after the word "from" and before the word and figure "Section 2" the following: "If the court should find that the appeal was not taken in good faith or through malice the costs of appeal, when not sustained, may be taxed to appellant."

Also by striking out all of Section Three (3).

And when so amended the bill do pass.

SHIRLEY GILLILLAND,
Chairman.

Adopted.

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. 17, a bill for an act to regulate the transportation of dead bodies and the practice of embalming and to provide for examination and license of embalmers and to provide penalties for violation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that a similar bill has passed the House.

HENRY YOUNG,
Chairman.

So the bill was indefinitely postponed.

Senator Wilson of Fayette, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred House File No. 27, a bill for an act to amend Chapter Thirty-seven (37) of the laws of the Thirty-second General Assembly, relating to the special election of township officers in newly created townships, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the word "Daily" in the publication clause, and when so amended the bill do pass.

A. C. WILSON,
Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate File No. 208, a bill for an act to amend Section Thirty-six (56) of the Code, relative to the publication of Acts of the 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..

J. H. ALLEN,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 201, a bill for an act to reimburse John F. Riggs, Superintendent of Public Instruction, for sums paid out by him on account of the State Educational 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 do pass.

F. L. MAYTAG,
Chairman.

Ordered and passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 77, 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, beg leave to report that they have 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. 77.

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 to the Iowa State College of Agriculture and Mechanic Arts out of any money in the State Treasury not otherwise appropriated, the sum of one hundred fifty-three thousand five hundred dollars (\$153,500) annually, hereafter, for support fund; for the support of the Experiment Station, the sum of twenty-five thousand dollars (\$25,000) annually, hereafter; for the support of the Engineering Department Station, the sum of three thousand five hundred dollars (\$3,500) annually, hereafter; for the purchase of books and periodicals, the sum of two thousand four hundred dollars (\$2,400) annually, hereafter; and for Good Roads Experimentation, the sum of five thousand dollars (\$5,000) annually, hereafter. Said sums to be paid in quarterly installments, on order of the trustees. The first installment to be payable June 30, 1907.

SEC. 2. There is hereby appropriated to the State University out of any money in the State Treasury not otherwise appropriated, for the support of said University, the sum of two hundred five thousand five hundred dollars (\$205,500) annually, hereafter. Said sum to be paid in quarterly installments on order of the board of regents of said University. The first installment to be payable June 30, 1907.

SEC. 3. There is hereby appropriated to the State Normal School at Cedar Falls out of any money in the Treasury not otherwise appropriated, for payment of teachers, the sum of seventy-seven thousand five hundred dollars (\$77,500) annually, hereafter; and eight thousand dollars (\$8,000) for the summer term annually; hereafter; and for the contingent and repairs, the sum of thirty-four thousand dollars (\$34,000) annually, hereafter; each of which shall be paid quarterly on order of the board of trustees. The first installment to be payable June 30, 1907.

SEC. 4. The permanent annual appropriations herein provided for shall take the place of, and be in lieu of, all other permanent annual appropriations heretofore made to the Iowa State College of Agriculture and Mechanic Arts, the State University, and the State Normal School, and the sums appropriated shall be paid in quarterly installments on the order of the trustees, the board of regents, and the board of trustees of their respective institutions. The first installment to be payable June 30, 1907.

SEC. 5. Nothing in this act shall be construed to, in any manner, affect any existing appropriations until June 30, 1907, at which time any sums of money drawn by either of the above named institutions shall be drawn under the provisions of this act and not of any former provisions.

SEC. 6. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication after

April 1, 1907, in the Des Moines Capital and the Register and Leader, newspapers published in the city of Des Moines, Iowa.

And when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Substitute was read first and second time and passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 95, a bill for an act to amend Section One (1), Chapter One Hundred and Twenty-two (122) of the laws of the Twenty-ninth General Assembly, relating to the support of indigent children in the Iowa School for the Deaf at Council Bluffs, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 132, a bill for an act to reimburse John F. Riggs, Superintendent of Public Instruction, for sums paid out by him on account of the State Educational 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.

F. L. MAYTAG,
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 Senate File No. 156, a bill for an act to amend Chapter One Hundred Eighty-six (186) of the laws of the Thirtieth General Assembly, relating to meandered lake beds, and enlarging the meaning of "a bona fide purchaser", under Section Seven (7) of said act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

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. 171, a bill for an act to prohibit the making or publishing of false or exaggerated statements or publications of, or concerning, the affairs, pecuniary condition, or property, of any corporation, joint stock association, co-partnership or individual, which said statements or publications are intended to give, or shall have a tendency to give, a less or greater apparent value to the shares, bonds or property, or any part thereof, of said corporation, joint stock association, co-partnership or individual, than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 171.

A BILL for an act to prohibit the making or publishing of false or exaggerated statements or publications of, or concerning, the affairs, pecuniary condition or property of any corporation, or joint stock association, which said statements or publications are intended to give or shall have a tendency to give a less or greater apparent value to the shares, bonds or property, or any part thereof, of said corporation or joint stock association, than the said shares, bonds or property shall really or in fact possess, and providing a penalty therefor.

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

SECTION 1. Every director, officer or agent of any corporation or joint stock association, who knowingly concurs in making, publishing or posting, either generally or privately, to the stockholders or other persons, any written report, exhibit, or statement of its affairs or pecuniary condition, or book or notice containing any material statement which is false, or any untrue or willfully or fraudulently exaggerated report, prospectus, account, statement of operations, values, business, profits, expenditures, or prospects, or any other paper or document intended to produce or give, or having a tendency to produce or give, the shares of stock in such corporation a greater value or a less apparent or market value than they really possess, is guilty of a felony, and, upon conviction thereof, shall be punished by imprisonment in the penitentiary not to exceed one (1) year, or by imprisonment in the county jail not to exceed six (6) months or a fine not exceeding five hundred dollars (\$500.00).

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Substitute was read first and second time and 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. 175, a bill for an act to amend the law as it appears in Section Two Hundred and Fifty-five (255) of the Supplement to the Code, relating to superior 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 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 House File No. 245, a bill for an act to legalize the incorporation of the town of Granger, Dallas county, Iowa, the election of its officers, the passage of all its ordinances and resolutions, and all acts done 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.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 179, a bill for an act to amend Chapter One Hundred Eighty-six (186) of the laws of the Thirtieth General Assembly, relating to meandered lake beds, and enlarging the meaning of "a bona fide purchaser", under Section Seven (7) of said act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that 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 House File No. 42, a bill for an act to repeal Section Four Hundred and Twelve (412) of the Code and to enact a substitute therefor, relating to the time of holding 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 amended by adopting the following substitute:

SUBSTITUTE FOR HOUSE FILE NO. 42.

A BILL for an act to repeal Section Four Hundred and Twelve (412) of the Code and to enact a substitute therefor, relating to the time of holding meetings of the Board of Supervisors.

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

SECTION 1. Section Four Hundred and Twelve (412) of the Code is hereby repealed and the following enacted in lieu thereof: "The members of the Board of Supervisors shall meet each year at the county seat of their respective counties, on the first Mondays in January, April, and June, and on the second Monday in September. In the odd-numbered years they shall meet on the first Monday of November, and in the even numbered years on the first Monday after the general election. They may also hold such special meetings as are provided by law."

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

The substitute was read first and second time and passed on file.

HOUSE MESSAGES CONSIDERED.

House File No. 104, a bill for an act to enable courts in counties in which lawfully constituted juries cannot be drawn, to provide for the preparation of new jury lists, and for the drawing and summoning of juries therefrom.

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

House File No. 105, a bill for an act to prohibit combination among grain elevator men and to prohibit any person, company, partnership, association or corporation engaged in the business of grain dealing or owning or operating grain elevators from combining or entering into any agreement, contract or trust to pool or fix the prices to be paid for grain or to prevent the free action of competition in the buying of grain, or the selling of grain, and to provide punishment for the same.

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

House File No. 92, a bill for an act to amend the law as it appears in Section Sixteen Hundred and Sixty-one-a (1661-a) of the Supplement to the Code, relative to State aid to District or County Agricultural Societies.

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

House File No. 145, a bill for an act to legalize conveyances of real estate by executors, administrators and guardians in this or foreign states.

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

House File No. 65, a bill for an act to safeguard the traveling public and employes upon railroads by limiting the hours of service of employes thereon, providing for the filing of complaints, the investigation thereof, and the securing of evidence thereto, additional to Chapter Five (5), Title Ten (10) of the Code.

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

House File No. 247, 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.

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

Senator Dowell asked unanimous consent to have 300 extra copies of Senate File No. 212 printed.

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 herewith returns the following concurrent resolution, as requested by the Senate:

Concurrent resolution relative to adjourning from Thursday, February 28th, until Tuesday, March 5th, 1907.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in, and passed, Senate substitute to the following bill, in which the concurrence of the House was asked:

House File No. 72, a bill for an act to amend Section Forty-three Hundred and Forty-one (4341) of the Code, relating to actions of mandamus.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Saunders, Senate File No. 162, a bill for an act to amend Section Thirty-nine Hundred and Fifty-five (3955) of the Code, and to provide for the issuance of an execution when an outstanding execution is lost or destroyed, was taken up and considered.

Senator Saunders moved that the Senate do not concur in the following House amendment: "Strike out all after the word 'original' in the eighth line of Section Ten (10) of the printed bill."

On the question, "Shall the Senate refuse to concur in the House amendment?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines Smith of Mitchell, Stirton, Stookey, Stueckslager, Taylor, Wade, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators DeArmand, Dowell, Gilliland, Turner, Warren, Whipple—6.

So the Senate refused to concur in the House amendment.

On motion of Senator Wilson of Clinton, Senate File No. 107, a bill for an act to amend Section Two Thousand Three Hundred and Fifty-one (2351) of the Supplement to the Code, relative to the protection of game, was taken up and considered.

Senator Wilson of Clinton moved the adoption of the following committee amendment:

Amend by inserting after the word "quail" in the fourth (4th) line of said section "or prairie chicken."

A roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were :

Senators Allen, Bleakly, Bruce, Burgess, DeWolf, Dowell, Ericson, Frudden, Gilliland, Hopkins, Kimmel, Lambert, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stuckslager, Taylor, Turner, Wilson of Fayette, Wilson of Clinton, Young—27.

The nays were :

Senators Clark, Crossley, Eckles, Elerick, Foley, Gale, Hughes, Jackson, Jamison of Clarke, Jones, Kinne, McKlveen, Maytag, Stirton, Stookey, Wade, Whiting—17.

Absent or not voting :

Senators DeArmand, Dunham, Jamieson of Page, McManus, Warren, Whipple—6.

So the amendment was adopted.

Senator Jones moved the adoption of the following amendment :

Move to strike out the word "twelve" and the figures "12" in the fourth line and insert in lieu thereof the word "ten" and figures "10".

The amendment was lost.

Senator Wilson of Clinton moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were :

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jamieson of Page, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Wade, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were :

Senators Jackson, Jamison of Clarke, Jones, Stookey, Whiting—5.

Absent or not voting :

Senators DeArmand, Warren, Whipple—3.

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 relative to the observance of Washington's birthday by the Thirty-second General Assembly.

WHEREAS, Friday, the twenty-second day of February, is the anniversary of the birth of George Washington; and,

WHEREAS, As a people, we delight in honoring his memory and, believing that the principles of patriotism and love of country will be promoted by the proper observance of the day; be it

Resolved by the House, the Senate concurring, That a joint session be held in the House Chamber at 11:00 o'clock a. m. Friday, February 22d, 1907. Be it further

Resolved, That a committee of three members of the House, to be selected by the Speaker of the House, and three members of the Senate, to be selected by the President of the Senate, be empowered to prepare a suitable program for the occasion.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Maytag, Senate File No. 80, a bill for an act appropriating money to J. H. Cownie, Jr., R. R. McCutchen and F. M. Hubbell, as trustees, to reimburse them for the funds advanced and used in the purchase of a tract of land for the State as an addition to the State Fair Grounds, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Maytag moved the adoption of the following committee amendment:

Amend by striking out the word "Daily" in the third line of the publication clause.

Adopted.

The bill as amended was read for information.

Senator Gilliland moved the adoption of the following amendment:

Amend by inserting in Section Two (2), line three (3), after the word "showing", the words "good title and".

Adopted.

The bill as amended was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators DeArmand, Jamison of Clark, Lambert, Nichols, Smith of Des Moines, Turner, Warren, Whipple—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 Elerick, House File No. 27, a bill for an act to amend Chapter Thirty-seven (37) of the laws of the Thirty-first General Assembly, relating to the special election of township officers in newly created townships, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Elerick moved the adoption of the following committee amendment:

Strike out the word "Daily" in the publication clause.

Adopted.

Senator Elerick moved the adoption of the following amendment:

Amend by inserting the words "Section One" after the word "that" in the first line.

Adopted.

Senator Elerick moved that House File No. 27 be re-referred to Committee on Judiciary.

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, THURSDAY, FEBRUARY 21, A. D. 1907.

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

Prayer was offered by the Rev. J. I. Boyd of Leon, Iowa.

Senator Dowell was called to the chair at 10:05 o'clock A.M.

PETITIONS AND MEMORIALS.

Senator McKlveen presented petition asking an appropriation for the benefit of the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Burgess presented petition of one hundred and forty-eight constituents asking the enactment of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Peterson presented four petitions of merchants and business men of Wright county urging the passage of an amendment to Section Four Thousand and Eleven (4011) of the Code, relating to exemption of personal earnings.

Referred to Committee on Judiciary.

Senator Peterson presented remonstrance of G. E. Boynton Lodge No. 138, Brotherhood of Railroad Trainmen, of Eagle Grove, Iowa, to the passage of the proposed amendment to Section Four Thousand and Eleven (4011) of the Code, relating to exemption of personal earnings.

Referred to Committee on Judiciary.

Senator Wilson of Fayette presented petition of constituents asking the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Stuckslager presented petition of citizens of Springville, Iowa, favoring the passage of the proposed measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Ericson presented petition of women of Boone asking the establishment of a women's reformatory at some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Ericson presented petition of Division 34, Order of Railway Conductors, of Boone, Iowa, protesting against the proposed bill to restrict the privileges of fraternal insurance companies.

Referred to Committee on Insurance.

Senator McKlveen presented petition of Local Union No. 799, United Mine Workers of America, protesting against the proposed amendment of Section Four Thousand and Eleven (4011) of the Code, relative to exemption of personal earnings.

Referred to Committee on Judiciary.

Senator Turner presented petition of citizens of Clearfield, Iowa, asking the establishment of a women's reformatory at some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Taylor presented petition of citizens of Bloomfield, Iowa, asking the establishment of a women's reformatory at some town where there is no penitentiary.

Referred to Committee on Appropriations.

Senator Bruce presented petition of constituents asking an appropriation for the benefit of the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator McKlveen presented petitions of citizens of Russell, Derby, Chariton and Lucas, Iowa, favoring the passage of the Clark bill, regulating the manufacture and sale of patent and proprietary medicines.

Referred to Committee on Pharmacy.

INTRODUCTION OF BILLS.

By Senator Gilliland, Senate File No. 227, a bill for an act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which now have or may hereafter have a population of fifty thousand (50,000) inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement thereof.

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

By Senator Ericson, Senate File No. 228, a bill for an act authorizing the board of trustees of free public libraries to unite with any local county historical association for the preservation and protection of articles of a historical or educational nature gathered by such association and to expend money for the proper care of such collection.

Read first and second time and referred to Committee on Public Libraries.

By Senator Elerick, Senate File No. 229, a bill for an act requiring the Board of Railroad Commissioners to establish and put in effect certain freight rates under certain conditions.

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

By Senator Newberry, Senate File No 230, a bill for an act to require a stamp or label on every ball of binder twine sold, exposed or offered for sale within this State, and providing a penalty for the violation thereof.

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

By Senator Peterson, Senate File No. 231, a bill for an act to amend Section Three Thousand Eight Hundred and Fifty-three

(3853) of the Code, relating to the recovery of costs by the successful against the losing party.

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

By Senator McManus, Senate File No. 232, a bill for an act to regulate and fix a place of bringing action against municipal corporations in the State of Iowa in all counties where terms of the District Court are held in more than one place.

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

By Senator Stirton, Senate File No. 233, a bill for an act to amend the law as it appears in Section Five Thousand Seven Hundred and Two-a (5702-a) of the Supplement to the Code, relating to the manufacture of pearl buttons or butter tubs in the penitentiaries of the State.

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

By Senator Elerick, Senate File No. 234, a bill for an act to authorize the reconsignment without charge to a new destination of property forwarded by a common carrier and to provide for the treatment of the same as an original shipment.

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

By Senator DeWolf, Senate File No. 235, a bill for an act for the protection of trainmen and to regulate the stringing of wires, electric or other, over railroad tracks, and relative to the maintenance of such wires heretofore so strung.

Read first and second time and referred to Committee on Telephone and Telegraph.

By Senator DeWolf, Senate File No. 236, a bill for an act defining the relations between employer and employe with respect to assumption of risk and providing what shall constitute notice thereof.

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

By Senator Whiting, Senate File No. 237, a bill for an act pro-

viding for scales and the weighing of commodities transported in carload lots, and furnishing certificates of weight by common carriers and providing penalties for the violation of this act, in addition to Chapter Seven (7), Title Ten (10) of the Code.

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

HOUSE MESSAGES CONSIDERED.

House passed Senate substitute for House File No. 72, a bill for an act to amend Section Four Thousand Three Hundred and Forty-one (4341) of the Code, relating to actions of mandamus.

Ordered passed on file.

House concurrent resolution relative to joint session to be held in House Chamber at 11 o'clock A.M. Friday, February 22, 1907.

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

Senator Jones moved that the Senate concur in the House concurrent resolution.

Carried.

REPORTS OF COMMITTEES.

Senator Kinne, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 12, a bill for an act to amend Chapter Two (2) of Title Eight (8) of the Supplement to the Code, relating 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.

GEO. KINNE,
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. 27, a bill for an act to amend Chapter Thirty-seven

(37) of the laws of the Thirty-first General Assembly, relating to the special election of township officers in newly created townships, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adopting the following substitute:

SUBSTITUTE FOR HOUSE FILE NO. 27.

A BILL for an act to amend the law as it appears in Chapter Thirty-seven (37) of the Acts of the Thirty-first General Assembly, relating to the special election of township officers in newly created townships.

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

SECTION 1. Chapter Thirty-seven (37) of the Acts of the Thirty-first General Assembly is hereby amended by adding thereto the following as Section Three (3).

"At any time when a new township has been created in a year in which no general election is held by law, the county Board of Supervisors of the county affected, shall call a special election for the election of three trustees and other township officers of the new township, which officers shall continue in office until their successors are elected and qualified."

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

The substitute was read first and second time and 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. 114, a bill for an act to regulate certain acknowledgments and administrations of oaths, beg leave to report that they 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 House File No. 247, 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.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 136, a bill for an act to amend Section Fourteen (14) of Chapter One Hundred Sixty-six (166) of the laws of the Thirty-first General Assembly, relating to the sale of canned goods, beg leave to report that they 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. E. BRUCE,
Chairman.

Adopted.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 104, a bill for an act to repeal Section Five (5) of Chapter Eighty-three (83) of the laws of the Thirty-first General Assembly, relating to levees built by the United States, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 104.

A BILL for an act to amend Chapter Two (2) of Title Ten (10) of the Code relating to United States levees, as amended by Chapter Eighty-three (83) of the laws of the Thirty-first General Assembly, to promote the public health, convenience and welfare, by leveeing, ditching and draining the lands of the State, and providing for the assessment and collection of the costs and expenses of the same, and issuing improvement certificates, or issuing and selling bonds therefor.

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

SECTION 1. Section Five (5) of Chapter Eighty-three (83) of the laws of the Thirty-first General Assembly is hereby amended by striking out the words "two and one half (2½) mills" in the second line and inserting in lieu thereof the following: "shall not exceed fifty (50) mills," and by striking out the period after the word "valuation" in the third line and adding the following: "which said assessment shall be levied at a level rate on the assessable value of the said lands, easements and railroads within the district."

SEC. 2. Section Nineteen Hundred Eighty-six (1986) of the Code as amended by Section Six (6) of Chapter Eighty-three (83) of the laws of the Thirty-first General Assembly, is hereby amended by striking out the words "three (3) mills" and inserting in lieu thereof "fifty (50) mills."

SEC. 3. That Section Nineteen Hundred Eighty-Five (1985) of the Code be, and the same is, hereby amended by adding the following to said section: "If the amount of money required for the improvement under the provisions of this chapter cannot be collected in one year, or if the board of supervisors in their discretion deem it advisable that the taxes shall be paid in installments, or in case it becomes necessary to expend an extraordinary sum for the preservation of the levee in case of an emergency, the Board of Supervisors of the county shall have the power to issue bonds for all which cannot thus be provided for in one year substantially the manner and form as provided in Section Twenty-eight (28) of Chapter Sixty-eight (68) of the laws of the Thirtieth General Assembly and acts amendatory thereto, and all acts and proceedings in relation thereto shall conform therewith, except that bonds issued in anticipation of taxes for the maintenance of a levee shall not exceed five years' taxes and shall be due in six years from the date of issue."

SEC. 4. Whenever a levee or drainage district is organized, the Board or Boards of Supervisors, as the case may be, shall have power and authority to audit and allow claims for money and labor expended in the preservation of said levee prior to and since the organization of the said district; all sums so allowed to be payable from the levee or drainage fund. The said board or boards shall also have full power and authority to make an equitable adjustment of and credit for any taxes paid for repairing the levee where the same has been heretofore levied and collected in any manner by one or either Board of Supervisors under any prior proceedings.

SEC. 5. 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 Capital, newspapers published in the city of Des Moines, Iowa.

And when so amended the bill do pass.

JAS. E. BRUCE,
Chairman.

Adopted.

The substitute was read first and second time and passed on file. Senator Bruce, 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 amend an act of the Thirtieth General Assembly, entitled "an act to promote the public health, convenience and welfare, by leveeing, ditching and draining the lands of the State, and providing for the establishment of levees, drainage districts, or for the changing of natural watercourses to secure better drainage, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 8.

A BILL for an act to amend the law as it appears in Chapter Sixty-eight (68) of the Thirtieth General Assembly and in Chapter Eighty-five (85) of the acts of the Thirty-first General Assembly in relation to levees, ditches, drains and watercourses.

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

SECTION 1. That the law as it appears in Section Two (2), Chapter Sixty-eight (68) of the acts of the Thirtieth General Assembly is hereby amended by striking out all of said Section Two (2), after the word "hands", in line Sixteen (16) and inserting the following in lieu thereof: "And he shall proceed to examine the lands described in said petition and any other lands which would be benefited by said improvement or necessary in the carrying out of said improvement, and survey and locate such drain or drains, ditch or ditches, improvement or improvements, as may be practicable and feasible to carry out the purposes of the petition and which will be of public benefit or utility or conducive to public health, convenience or welfare. He shall make return of his proceedings to the County Auditor, which returns shall set forth the starting point, the route, the terminus or termini of the said ditch or ditches, drain or drains, or other improvements, together with a plat and profile showing the ditches, drains or other improvements, and the course and length of the drain or drains through each tract of land and the elevation of all lakes, ponds and deep depressions in said district and the boundary of the proposed district, and the description of each tract of land therein and name of the owners thereof as shown by the transfer books in the Auditor's office, together with the probable cost, and such other facts and recommendations as he may deem material. 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."

SEC. 2. That Section Three (3) of said Chapter is hereby amended by striking out the period after the word "served" in line Fifteen (15) and insert a comma in lieu thereof and adding thereto the following: "provided, however, no notice shall be served by the Auditor upon any of the persons hereinbefore described who shall file with said Auditor a writing signed by said party entering his appearance at said hearing and waiving any additional notice. The officer or person serving said notice shall receive five cents per mile for the distance actually traveled and not exceeding five dollars per day of eight hours for making said services."

SEC. 3. That Section Four (4) of Chapter Eighty-five (85) of the acts of the Thirty-first General Assembly is hereby amended by adding after the word "located" and before the word "and" in line Six (6) of said section the following: "showing the levels and elevations of each forty acre tract of land."

SEC. 4. That Section Eleven (11) of Chapter Sixty-eight (68) of the acts of the Thirtieth General Assembly is hereby amended by striking out all of said section after the word "recommend" in line eight

(8) and adding thereto the following: "provided that all persons whose lands shall be taken or who may be damaged by the said change, shall first have been given like notices and like proceedings had as hereinbefore provided for the establishment of the levee or drainage district."

SEC. 5. That said Chapter Sixty-eight (68) of the acts of the Thirtieth General Assembly is hereby amended by adding the following thereto:

"The Board of Supervisors of any county or counties in the State in which a drainage or levee district has been or may hereafter be organized as provided in this act may provide as a part of said drainage system for the establishment and maintenance of a pumping station or stations, when and where the same may be necessary to secure a proper outlet for the drainage of the land comprising the said districts, and the cost of construction and maintenance of said pumping station or stations shall be levied upon and collected from the lands in the drainage or levee district in the same manner as provided for in the construction and maintenance of ditches or drains or levees in this act."

SEC. 6. That said chapter is hereby further amended by adding thereto the following:

"Whenever any petition has heretofore been filed and any action thereon has been taken by the Board of Supervisors that is not final, it shall not be necessary that a new petition shall be filed in order to obtain the benefits of this act, but the Board of Supervisors are hereby empowered to proceed with the improvement from the point at which local proceedings thereon were stopped."

SEC. 7. This act, being deemed of immediate importance, shall take effect and be in full force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

And when so amended the bill do pass.

JAS. E. BRUCE,
Chairman.

Adopted.

The substitute was read first and second time and passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 11, a bill for an act to amend Section Twenty-one Hundred and Thirteen (2113) of the Code, relating to the powers and duties of the Railroad Commissioners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. H. HOPKINS,
Chairman.

Adopted.

Senator Seeley, 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. 87, a bill for an act for the relief of the grantees of Jacob W. Applegate, and for the purpose of having a patent issued in the name of S. S. Judge for a certain tract of land.

Also:

Senate File No. 29, a bill for an act legalizing the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the city council of Leon, Iowa, and legalizing all the acts, proceedings and resolutions adopted or passed by the said city council in changing from the incorporated town of Leon, Iowa, to the incorporated city of Leon, Decatur county, Iowa, legalizing all of the aforesaid proceedings as fully and effectually as if the law in every particular had been complied with in the passage of all said acts, proceedings and resolutions and publication thereof, if same had in any respect been omitted or neglected, and legalizing all the acts of the officials acting under said acts, ordinances, proceedings and resolutions.

Also:

Senate File No. 46, a bill for an act to legalize the acts and proceedings of the city council of the city of Anamosa, Iowa, relative to the construction of permanent sidewalks; and relative to the change of grade of a certain street.

Also:

Senate File No. 121, a bill for an act to provide that Chapter Eight (8) of Title Six (6) of the Code, relating to removal of municipal officers, be made applicable to special charter cities.

W. B. SEELEY,
Chairman.

Ordered passed on file.

Senator Seeley, 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. 97, 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-second General Assembly to visit the several State institutions.

Also:

Senate File No. 102, a bill for an act making an appropriation to pay the additional employes of the Thirty-second General Assembly.

Also:

Senate File No. 49, a bill for an act to provide for the purchase of legislative references to and indexes of current legislation and making an appropriation therefor.

Also:

Senate File No. 58, a bill for an act providing that Section Six Hundred Fifty-four (654) of the Supplement to the Code, and Section Six Hundred Seventy-two (672) of the Code, relating to the appointment and compensation of police matrons, be made applicable to special charter cities.

W. B. SEELEY,
Chairman.

Ordered passed on file.

Senator Seeley, 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. 87, a bill for an act for the relief of the grantees of Jacob W. Applegate, and for the purpose of having a patent issued in the name of S. S. Judge for a certain tract of land.

Also:

Senate File No. 29, a bill for an act legalizing the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the city council of Leon, Iowa, and legalizing all the acts, proceedings and resolutions adopted or passed by the said city council in changing from the incorporated town of Leon, Iowa, to the incorporated city of Leon, Decatur county, Iowa, legalizing all of the aforesaid proceedings as fully and effectually as if the law in every particular had been compiled with in the passage of all said acts, proceedings and resolutions and publication thereof, if same had in any respect been omitted or neglected, and legalizing all the acts of the officials acting under said acts, ordinances, proceedings and resolutions.

Also:

Senate File No. 46, a bill for an act to legalize the acts and proceedings of the city council of the city of Anamosa, Iowa, relative to the construction of permanent sidewalks; and relative to the change of grade of a certain street.

Also:

Senate File No. 121, a bill for an act to provide that Chapter Eight (8) of Title Six (6) of the Code, relating to the removal of municipal officers, be made applicable to special charter cities.

W. B. SEELEY,
Chairman Senate Committee.

PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

Senator Seeley, 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. 97, 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-second General Assembly to visit the several State institutions.

Also:

Senate File No. 102, a bill for an act making an appropriation to pay the additional employes of the Thirty-second General Assembly.

Also:

Senate File No. 49, a bill for an act to provide for the purchase of legislative references to and indexes of current legislation and making an appropriation therefor.

Also:

Senate File No. 58, a bill for an act providing that Section Six Hundred Fifty-four (654) of the Supplement to the Code, and Section Six Hundred Seventy-two (672) of the Code, relating to the appointment and compensation of police matrons, be made applicable to special charter cities.

PAUL E. STILLMAN,
Chairman House Committee.

W. B. SEELEY,
Chairman Senate Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate File No. 87, a bill for an act for the relief of the grantees of Jacob W. Applegate, and for the purpose of having a patent issued in the name of S. S. Judge for a certain tract of land.

Also:

Senate File No. 29, a bill for an act legalizing the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the city council of Leon, Iowa, and legalizing all the acts, proceedings, and resolutions adopted or passed by the said city council in changing from the incorporated town of Leon, Iowa, to the incorporated city of Leon, Decatur county, Iowa, legalizing all of the aforesaid proceedings as fully and effectually as if the law in every particular had been complied with in the passage of all said acts, proceedings and resolutions and publication thereof, if same had in any respect been omitted or neglected, and legalizing all the acts of the officials acting under said acts, ordinances, proceedings and resolutions.

Also:

Senate File No. 46, a bill for an act to legalize the acts and proceedings of the city council of the city of Anamosa, Iowa, relative to the construction of permanent sidewalks; and relative to the change of grade of a certain street.

Also:

Senate File No. 121, a bill for an act to provide that Chapter Eight (8) of Title Six (6) of the Code, relating to removal of municipal officers, be made applicable to special charter cities.

W. B. SEELEY,
Chairman.

Passed on file.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate File No. 97, 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-second General Assembly to visit the several State institutions.

Also:

Senate File No. 102, a bill for an act making an appropriation to pay the additional employes of the Thirty-second General Assembly.

Also:

Senate File No. 49, a bill for an act to provide for the purchase of legislative references to and indexes of current legislation and making an appropriation therefor.

Also:

Senate File No. 58, a bill for an act providing that Section Six Hundred Fifty-four (654) of the Supplement to the Code, and Section Six Hundred Seventy-two (672) of the Code, relating to the appointment and compensation of police matrons, be made applicable to special charter cities.

W. B. SEELEY,
Chairman.

Passed on file.

The Chair announced as committee on part of the Senate on House concurrent resolution relative to holding a joint convention on February 22d and to prepare and submit an appropriate program:

Senators Jackson, Jones and Moon.

THIRD READING OF BILLS.

On motion of Senator Saunders, House File No. 42, a bill for an act to repeal Section Four Hundred and Twelve (412) of the Code, and to enact a substitute therefor, relating to the time of holding meetings of the Board of Supervisors, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Saunders moved that the committee substitute be substituted for the original bill.

Carried.

Senator Saunders moved that the rule be suspended, the reading just had be considered its third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones Kimmel Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Young—47.

The nays were:

None.

Absent or not voting:

Senators Allen, Whipple, Wilson of Clinton—3.

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

House File No. 211, a bill for an act to legalize the making of certain plats by the County Auditors of Iowa or by the County Surveyor for the owner, 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 passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Jones moved the adoption of the following amendment:

Amend Section One (1) of said bill by striking out the word "all" appearing in the next to the last line thereof, and substituting therefor the word "such."

Adopted.

Senator Jones moved the adoption of the following amendment:

Amend Section Two (2) of said bill by striking out the words "in such respects been made" appearing in the sixth line thereof, and substituting in lieu thereof the words "been signed and acknowledged and."

Adopted.

The bill as amended was read for information.

The President resumed the chair at 10:45 o'clock.

Senator Jones moved that the rule be suspended, the reading just had be considered its third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericsen, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—47.

The nays were:

None.

Absent or not voting:

Senators Allen, Mattes, Whipple—3.

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

On motion of Senator Kinne, House File No. 21, a bill for an act to reimburse John F. Riggs, Superintendent of Public Instruction, for sums paid out by him on account of the State Educational Board of Examiners, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Kinne moved that the rule be suspended, the reading just had be considered its third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, Dunham, Eckles, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Kimmel, Kinne, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whiting, Wilson of Clinton, Young—39.

The nays were:

None.

Absent or not voting:

Senators DeArmand, DeWolf, Dowell, Elerick, Jamieson of Page, Jones, Lambert, Smith of Des Moines, Turner, Whipple, Wilson of Fayette—11.

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

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 220, a bill for an act to repeal Sections Twenty Hundred Seventy-six and Twenty Hundred Seventy-seven of the Code and to enact substitutes therefor, relative to classification of railroads and passenger transportation charges thereby, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

By striking out the period after the word "prescribed" in line ten of Section Two (2), and inserting a comma in lieu thereof; also by adding following the comma the words "provided, however, that every railroad corporation shall be entitled to charge a minimum fare of ten (10) cents for the transportation of each passenger with ordinary baggage for any distance not exceeding five miles."

Also by striking out the period after the word "train" in the thirteenth line of Section Two (2), and inserting a comma in lieu thereof; also by adding following the comma the words "except in those cases

where a minimum of ten (10) cents is charged for a distance of less than five miles as above provided."

And when so amended the bill do pass.

F. M. HOPKINS,
Chairman.

Adopted.

Senator Smith of Mitchell, 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. 206, a bill for an act to amend Sections Two (2), Four (4) and Five (5) of Chapter Fifty-three (53) of the acts of the Thirtieth General Assembly, in regard to motor vehicles, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

1. That the word "ten" and figures "(10)" be stricken out in the fifth line of Section One (1) and the word five followed by figure (5) be inserted in lieu thereof.

2. That the words "twenty-five" and figures "(25)" be stricken out in the seventeenth line of Section Three (3), and the word ten followed by figures (10) be inserted in lieu thereof.

And when so amended the bill do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Gilliland, Senate File No. 112, a bill for an act to amend Section Thirteen Hundred and Seventy-three (1373) of the Code, relating to the correction of erroneous assessments, was taken up and considered.

Senator Gilliland moved the adoption of the following committee amendment:

Amend by inserting after the word "from" and before the words and figure "Section Two (2)" the following: "If the court should find that the appeal was not taken in good faith or through malice the costs of appeal, when not sustained, may be taxed to appellant."

Adopted.

Senator Gilliland moved the adoption of the following committee amendment:

Amend by striking out all of Section Three (3).

Adopted.

The bill as amended was read for information.

Senator Allen moved the bill under consideration be referred to Committee on Judiciary.

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. 251, a bill for an act to legalize the incorporation of the town of Bridgewater, Iowa, the election of its officers, the passage of its ordinances and resolutions and acts done by the city council in the adoption and enforcement of its ordinances and resolutions.

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. 222, a bill for an act to amend Section Two Thousand Eight Hundred and Twenty-three-o (2823-o) of Chapter Fourteen-c (14-c) of the Supplement to the Code, relating to the distribution of books in school districts.

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. 77, a bill for an act to prohibit the use and sale of toy pistols, firecrackers, dynamite caps and blank cartridges.

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. 228, 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 safeguarding 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. 98, a bill for an act to empower the State Educational Board of Examiners to validate teachers' certificates issued in other States.

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. 60, a bill for an act to validate and legalize the consolidation of the Dunleith & Dubuque Bridge Co., a corporation created under the laws of the State of Illinois, with the Dunleith & Dubuque Bridge Co., a corporation created under the laws of the State of Iowa, and validating and legalizing all rights and franchises exercised under said consolidation by said Iowa corporation, and all corporate acts and proceedings of the said Iowa corporation since the consolidation of the said Illinois corporation with it.

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 to legalize the acts and resolutions passed by the Board of Supervisors of Van Buren county, Iowa, making final settlement with H. L. McGrew, county treasurer of said county, and releasing said H. L. McGrew and his bondsmen from liability on account of loss by reason of the deposit of county and other funds in a private banking house of E. H. Skinner & Co.

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. 185, a bill for an act to amend Section Thirty-six Hundred and Fifty-six (3656) of the Code, relating to the appearance term for certain 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 House was asked:

Substitute for Senate File No. 120, a bill for an act to repeal the law as it appears in Section Nine Hundred and Fifty-five-A (955-A) of the Supplement to the Code, relating to compensation of waterworks trustees in special charter cities having a population of thirty thousand (30,000) or more.

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. 119, a bill for an act to amend Chapter Fourteen (14) of Title Five (5) of the Code, relating to the management of waterworks in special charter cities having a population of thirty-five thousand (35,000) or more, and all acts or parts of acts in so far as they conflict with this act shall not be applicable to any such cities.

C. R. BENEDICT,
Chief Clerk.

Also :

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

House File No. 102, a bill for an act to amend Sections Twenty-four Hundred and Sixty-seven (2467) and Twenty-four Hundred and Sixty-eight (2468) of the Code, relating to fire companies, and providing for a penalty for the violation of said sections.

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 the following bill, in which the concurrence of the House was asked:

House File No. 242, a bill for an act to legalize the submission to the electors of Chickasaw county, Iowa, the question, viz: Shall the Board of Supervisors of Chickasaw county, Iowa, be empowered to expend and appropriate a sum not to exceed twenty-five thousand dollars (\$25,000) for the erection of a poorhouse for Chickasaw county, Iowa.

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 the following bill, in which the concurrence of the House was asked:

House File No. 7, a bill for an act to regulate the transportation of dead bodies, and the practice of embalming, and to provide for examination and license of embalmers, and to provide penalties for violation.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 18, a bill for an act to regulate the sale of agricultural seeds, concentrated commercial feeding-stuffs and materials from

which they are manufactured, fixing penalties for its violation and vesting the execution and enforcement in the State Food and Dairy Commissioner, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 18.

A BILL for an act regulating the sale of agricultural seeds, concentrated commercial feeding-stuffs and the materials from which they are manufactured; defining concentrated commercial feeding-stuffs and what shall constitute purity in various kinds of seeds; prohibiting the adulteration and providing for the correct weighing and marking of agricultural seeds and concentrated commercial feeding-stuffs; and providing for the collection of samples, analyses of the same, and fixing penalties for its violation; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.

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

SECTION 1. Every lot in bulk, barrel, bag, pail, parcel or package of concentrated commercial feeding-stuffs as defined in Section Three (3) of this act; and every parcel, package or lot of agricultural seeds as defined in Section Nine (9) of this act, and containing one pound or more, offered or exposed for sale in the State of Iowa, for use within this State, shall have affixed thereto, in a conspicuous place on the outside thereof, distinctly printed in the English language, in legible type not smaller than eight-point heavy gothic caps, or plainly written, a statement certifying:

1. In case of concentrated commercial feeding-stuffs:

First. The number of net pounds of feeding-stuffs in the package.

Second. The name, brand, or trade-mark under which the article is sold.

Third. The name and address of the manufacturer, importer, dealer or agent.

Fourth. The place of manufacture.

Fifth. The chemical analysis of the feeding-stuffs, stating the percentages of crude protein, crude fat, and crude fiber, allowing one per cent of nitrogen to equal six and twenty-five one-hundredths per cent of protein, all three constituents to be determined by the latest methods adopted by the Association of Official Agricultural Chemists of the United States.

2. In the case of agricultural seeds:

First. Name of the seed.

Second. Full name and address of the seedsman, importer, dealer or agent.

Third. A statement of the purity of the seed contained, specifying the kind and percentage of the impurities as defined in Sections Eleven (11) and Twelve (12) hereof, provided that said seeds are below the standards fixed in this act.

Fourth. Locality where seed was grown, when known.

SEC. 2. Every barrel, bag, pail, parcel or package of concentrated commercial feeding-stuffs, as defined in Section Three (3) of this act, and every feed intended for domestic animals that is compounded from two

or more substances, in addition to the requirements of Section One (1), shall have affixed thereto, in a conspicuous place on the outside thereof, a statement in the manner and form prescribed in Section One (1), giving the true and correct names of all the ingredients of which it is composed.

SEC. 3. The term, concentrated commercial feeding-stuffs, as used in this act, shall include alfalfa meals and feeds; dried beet refuse; ground beef or fish scraps; bean meals; dried blood; brewers' grains, both wet and dry; cerealine feeds; cocoanut meals; corn feeds; corn and oat feeds; corn, oat and barley feeds; compounds under the name of corn and cob meals; corn bran; clover meal; cotton-seed meal and feeds; germ feeds; distillers' grains; gluten meals; gluten feeds; hominy feeds; linseed meals; malt refuse; malt sprouts; meat meals; meat and bone meals; mixed feeds of all kinds; oil meals of all kinds; oat feeds; oat bran; oat flour; oat middlings; oat shorts; pea meals; poultry foods; rice bran; rice meal; rice polish; rye bran; rye middlings; rye shorts; starch feeds and starch factory by-products; tankage and packing house by-products; wheat bran; wheat middlings; wheat shorts; and low grade wheat flour; and all materials of similar nature used for domestic animals; also condimental stock food; patented, proprietary or trade-marked stock or poultry feeds, claimed to possess medicinal or nutritive properties or both; and all other materials intended for feeding to domestic animals. But it shall not include: Hay; straw; whole seeds; unmixed meals made from the entire grains of wheat, rye, barley, oats, Indian corn, buckwheat, and broomcorn; nor wheat flours nor other flours fit for human consumption.

SEC. 4. Before any concentrated commercial feeding-stuffs, as defined in Section (3) of this act, is offered or exposed for sale, the importer, manufacturer, person or party who causes it to be sold or offered for sale within the State of Iowa, for use within this State, for each and every feeding-stuff bearing a distinguishing name or trade-mark, shall file with the State Food and Dairy Commissioner a certified copy of the statement named in Section One (1) of this act, and shall also deposit with the said State Food and Dairy Commissioner a sealed glass jar or bottle containing not less than one pound of the feeding-stuff to be sold or offered for sale, accompanied by an affidavit that it is a fair average sample thereof and corresponds within reasonable limits to the feeding-stuff which it represents.

SEC. 5. Before any manufacturer, importer, dealer or agent shall offer or expose for sale in this State any of the concentrated commercial feeding-stuffs defined in Section Three (3) of this act, he shall pay to the State Food and Dairy Commissioner an inspection fee of ten cents per ton for each ton of such concentrated commercial feeding-stuffs sold or offered for sale in the State of Iowa, for use within this State; except in the case of condimental stock or poultry foods, the fee paid shall be one dollar per ton; and shall affix to each lot shipped in bulk, and to each bag, barrel or package of such concentrated commercial feeding-stuffs, a tag, to be furnished by the said State Food and Dairy Commissioner, stating that all charges specified in this section have been paid; provided, that the inspection fee herein required shall not apply to unadulterated wheat, rye and buckwheat bran, nor wheat, rye and buckwheat middlings, nor to wheat, rye and buckwheat shorts manufactured in this

State. The said State Food and Dairy Commissioner is hereby empowered to prescribe the form of such tag and adopt such regulations as may be necessary for the enforcement of this act. Tags for use upon concentrated commercial feeding-stuffs shall be issued in denominations suitable for use with twenty-five, fifty and one hundred pounds net, except as hereinafter provided; but tags for use upon packages of condimental stock or poultry foods shall be issued in denominations suitable for use with five, ten, twenty, fifty and one hundred pound packages.

Sec. 6. The State Food and Dairy Commissioner shall cause to be made analyses of all concentrated commercial feeding-stuffs and agricultural seeds sold or offered for sale in this State. Said State Food and Dairy Commissioner is hereby authorized, in person or by deputy, to take for analysis a sample from any lot or package of concentrated commercial feeding-stuffs in this State, not exceeding two pounds in weight; and in case of agricultural seeds, a sample not exceeding four ounces in weight; but said sample shall be drawn or taken in the presence of the party or parties in interest, or their representative, and shall be taken from a parcel, lot or number of parcels which shall not be less than five per cent of the whole lot inspected, and shall be thoroughly mixed and divided into two samples and placed in glass or metal vessels carefully sealed and a label placed on each, stating the name or brand of the feeding-stuff, agricultural seeds or material sampled, the name of the party from whose stock the sample is drawn, and the date and place of taking such sample, and said label shall be signed by the said State Food and Dairy Commissioner, or his authorized agent; or said sample may be taken in the presence of two disinterested witnesses. One of said duplicate samples shall be left on the premises of the party whose stock was sampled and the other retained by the State Food and Dairy Commissioner, for analysis and comparison with the certified statements required by Sections One (1) and Four (4) of this act. The result of the analysis of the sample, together with additional information, shall be published from time to time in bulletins issued by the State Food and Dairy Commissioner upon approval of the Executive Council.

Sec. 7. Any person purchasing any concentrated commercial feeding-stuffs or agricultural seeds in this State, for his own use, may submit fair samples of said feeding-stuffs or seeds to the State Food and Dairy Commissioner, who, upon receipt of an analysis fee of fifty cents (50c) for each sample of agricultural seeds and one dollar for each sample of concentrated commercial feeding-stuff, shall cause an analysis of the same to be made.

Sec. 8. No person shall sell in ground form, wheat or rye screenings containing cockle or other poisonous or deleterious substances.

Sec. 9. The term, agricultural seeds, as used in this act, shall include the seeds of the red clover, white clover, alsike clover, alfalfa, Kentucky blue-grass, timothy, brome grass, orchard grass, red top, meadow fescue, oat grass, rye grass, and other grasses and forage plants, flax, rape and cereals.

Sec. 10. No person shall sell, offer, or expose for sale, or distribution, in this State, for the purpose of seeding, any of the agricultural seeds as defined in Section Nine (9) of this act, unless the said seeds are free from the seeds of the following weeds: Wild mustard or charlock (Bras-

sica sinapistrum), quack grass (*Agropyron repens*), Canada thistle (*Cnicus arvensis*), wild oats (*Avena fatua*), clover and alfalfa dodder (*Cuscuta epithimum*), field dodder (*Cuscuta arvensis*), and corn cockle (*Lychnis githago*).

Sec. 11. The seeds of the following weeds shall be considered as impurities in the agricultural seeds, as defined in Section Nine (9) of this act, sold, offered, or exposed for sale, within the State for the purpose of seeding: White cockle (*Lychnis vespertina*), nightflowering catchfly (*Silene noctiflora*), curled dock (*Rumex crispus*), smooth dock (*Rumex altissimus*), sheep sorrel (*Rumex acetosella*), yellow trefoil (*Medicago lupulina*), burr clover (*Medicago denticulata*), sweet clover (*Melilotus alba* and *officinalis*), black mustard (*Brassica nigra*), plantain, buckhorn (*Plantago lanceolata*), bracted plantain (*Plantago aristata*), bindweed (*Convolvulus sepium*), smooth crab grass (*Panicum glabrum*), common chickweed (*Stellaria media*). When such impurities or any of them are present in quantity exceeding a total of two per cent of the weight of said agricultural seeds, the approximate percentage of each shall be plainly indicated in statement specified in Section One (1) of this act.

Sec. 12. Sand, dirt, chaff and foreign substances and seeds other than those specified in Sections Thirteen (13) and Fourteen (14), or broken seed and seed not capable of germinating, shall be considered impurities when present in agricultural seeds sold, offered, or exposed for sale, in this State, for the purpose of seeding, and when such impurities, or any of them, are present in quantity exceeding the standards of purity and viability authorized in Section Sixteen (16) of this act, the name and approximate percentage of each shall be plainly indicated in the statement specified in Section One (1) of this act.

Sec. 13. For the purposes of this act, seeds shall be deemed to be mixed or adulterated:

First. When orchard grass (*Dactylis glomerata*) seed contains ten per cent or more by weight of meadow fescue (*Festuca elatior pratensis*) seed, or Italian rye grass (*Lolium italicum*) seed, or English rye grass (*Lolium perenne*) seed.

Second. When blue-grass or Kentucky blue-grass (*Poa pratensis*) seed contains five per cent or more by weight of Canadian blue-grass (*Poa compressa*) seed, red top chaff, red top (*Agrostis alba*) seed, or any other seed or foreign substance.

Third. When red clover (*Trifolium pratense*), mammoth red clover (*Trifolium pratense* var.), or alfalfa (*Medicago sativa*), contains five per cent or more by weight of yellow trefoil (*Medicago lupulina*), or sweet clover (*Melilotus alba* and *M. officinalis*) seed or burr clover (*Medicago denticulata*) seed.

Fourth. When rape (*Brassica rapa*) contains five per cent or more of common mustard (*Brassica sinapistrum*) or black mustard (*B. nigra*).

Sec. 14. For the purposes of this act, seed shall be deemed to be misbranded:

First. When meadow fescue (*Festuca elatior pratensis*), English rye grass (*Lolium perenne*) or Italian rye grass (*Lolium italicum*) is labeled or sold under the name of orchard grass (*Dactylis glomerata*) seed.

Second. When Canadian blue-grass (*Poa compressa*) seed, red top

(*Agrostis alba*) seed, or any other seed not blue-grass seed, is sold under the name of Kentucky blue-grass or blue-grass (*Poa pratensis*) seed.

Third. When yellow trefoil (*Medicago lupulina*), burr clover (*Medicago denticulata*), or sweet clover (*Melilotus alba*) is sold under the name of clover, June clover, red clover (*Trifolium pratense*), medium red clover, small red clover, mammoth red clover, sappling clover, peavine clover (*T. pratense* var.), or alfalfa (*Medicago sativa*) seed.

Fourth. When the seeds are not true to the name under which they are sold.

SEC. 15. The provisions concerning agricultural seeds contained in this act shall not apply to:

First. Any person or persons growing or selling seeds for food purposes only, or having such seeds in possession for sale for such purposes.

Second. Any person selling seeds direct to merchants, to be cleaned or graded before being offered for sale for the purpose of seeding. This shall not, however, exempt the seller from the restrictions of Section Ten (10) of this act.

Third. Seed that is held in storage for the purpose of being re-cleaned, and which has not been offered, exposed or held in possession of or for sale for the purpose of seeding.

Fourth. Seed marked "not absolutely clean," and held or sold for export outside the State only.

Fifth. The sale of seed that is grown, sold and delivered by any farmer on his own premises for seeding by the purchaser himself, unless the purchaser of said seeds obtains from the seller at the time of the sale thereof a certificate that the said seed is supplied to the purchaser subject to the restrictions of this act.

Sixth. Mixtures of seeds for lawn or pasture purposes. This shall not, however, exempt the seller of such mixtures of seeds from the provisions of Sections Ten (10) and Eleven (11) of this act.

SEC. 16. The following standards of purity (meaning freedom from weed seeds or other seeds) and viability are hereby fixed:

STANDARD OF PURITY AND VIABILITY OF AGRICULTURAL SEEDS.

Name of seed.	Per cent	Per cent germinable
		of seeds.
Alfalfa (<i>Medicago sativa</i>)	96	80
Barley	98	90
Blue grass, Canadian (<i>Poa compressa</i>)	90	45
Blue grass, Kentucky (<i>Poa pratensis</i>)	80	45
Brome, awnless (<i>Bromus inermis</i>)	90	75
Clover, alsike (<i>Trifolium hybridum</i>)	90	75
Buckwheat	96	90
Clover, crimson (<i>Trifolium incarnatum</i>)	98	85
Clover, red (<i>Trifolium pratense</i>)	92	80
Clover, white (<i>Trifolium repens</i>)	90	75

Corn, field (<i>Zea mays</i>)	99	95
Corn, sweet	99	75
Fescue, meadow (<i>Fescuta pratensis</i>)	95	85
Flax (<i>Linum usitatissimum</i>)	96	89
Millet, common (<i>Setaria italica</i>)	90	85
Millet, hog (<i>Panicum miliaceum</i>)	90	85
Millet, pearl (<i>Penisetum typhoideum</i>)	99	65
Oats (<i>Avena sativa</i>)	98	90
Oat grass, tall (<i>Arrhena therum avenaceum</i>)	72	70
Orchard grass (<i>Dactylis glomerata</i>)	70	70
Rape (<i>Brassica rapa</i>)	99	90
Red Top (<i>Agrostis alba</i>)	90	70
Rye (<i>Secala cereale</i>)	98	90
Rye grass, perennial (<i>Lolium perenne</i>)	96	90
Rye grass, Italian (<i>Lolium italicum</i>)	95	80
Sorghum (<i>Andropogon sorghum</i>)	96	80
Sorghum, for fodder	90	60
Timothy (<i>Phleum pratense</i>)	96	85
Wheat (<i>Triticum</i>)	98	90

SEC. 17. It is hereby made the duty of the State Food and Dairy Commissioner to enforce the provisions of this act. The inspectors, assistants and chemists appointed by the State Food and Dairy Commissioner shall perform the same duties and have the same authority under this act as are prescribed by Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly, and the said State Food and Dairy Commissioner may appoint, with the approval of the Executive Council, such analysts and chemists as may be necessary to carry out the provisions of this act.

SEC. 18. Whoever sells, offers or exposes for sale any of the seeds specified in Sections Thirteen (13) and Fourteen (14) of this act which are mixed, adulterated or misbranded, or any agricultural seeds which do not comply with Sections Eleven (11) and Twelve (12) of this act, or who shall counterfeit or use a counterfeit of any of the tags prescribed by this act; or who shall prevent or attempt to prevent any inspector in the discharge of his duty from collecting samples or who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction, shall be fined not more than One Hundred Dollars (\$100) and costs of prosecution.

SEC. 19. There is hereby appropriated, for the purpose of enforcing the provisions of this act, a sum not exceeding the amount of fees collected under its provisions. Such expense shall be paid by warrant of the State Auditor upon bills filed by the State Food and Dairy Commissioner with the Executive Council and approved by them. All fees collected under the provisions of this act shall be paid into the State treasury.

And when so amended the bill do pass.

JAS. E BRUCE,
Chairman.

Adopted.

The substitute was read first and second time and passed on file.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Lambert, Senate File No. 208, a bill for an act to amend Section Thirty-six (36) of the Code, relative to the publication of acts of the General Assembly, 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, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—46.

The nays were:

None.

Absent or not voting:

Senators Allen, McManus, Stuckslager, Whipple—4.

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. 171, a bill for an act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of any corporation, joint stock association, co-partnership or individual, which said statements or publications are intended to give, or shall have a tendency to give, a less or greater apparent value to the shares, bonds or property, or any part thereof, of said corporation, joint stock association, co-partnership or individual, than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor, with report of committee recommending passage as

amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Saunders moved that the committee substitute be substituted for the original bill.

Carried.

The substitute was read for information.

Senator Saunders moved that the rule be suspended, 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, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, Jamison of Clarke, McManus, Smith of Des Moines, Stuckslager, Whipple—7.

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. 29, 46, 49, 58, 87, 97, 102 and 121.

By unanimous consent, on motion of Senator Hughes, Senate File No. 184, a bill for an act to amend Section Eighteen Hundred and Seventy-three (1873) of the Code, relating to publication of reports of banks, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Hughes moved the adoption of the following amendment:

Amend by striking therefrom the publication clause.

Adopted.

The bill as amended was read for information.

Senator Young moved that the time of adjournment be extended until the bill under consideration be disposed of, the correction of the Journal and the consideration of House messages.

Carried.

Senator Hughes moved that the rule be suspended, 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, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McKlveen, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, Foley, Smith of Des Moines, Lambert, McManus, Maytag, Wade, Stuckslager, 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 File No. 251, a bill for an act to legalize the incorporation of the town of Bridgewater, Iowa, the election of its officers, the passage of its ordinances and resolutions and acts done by the city council in the adoption and enforcement of its ordinances and resolutions.

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

House File No. 222, a bill for an act to amend Section Two Thousand Eight Hundred and Twenty-three-o (2823-o) of Chapter Fourteen-c (14-c) of the Supplement to the Code, relating to the distribution of books in school districts.

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

House File No. 77, a bill for an act to prohibit the use and sale of toy pistols, firecrackers, dynamite caps and blank cartridges.

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

House File No. 228, a bill for an act to amend the law as it appears in Section Forty-nine Hundred and Ninety-nine-b (4999-b) of the Supplement to the Code, relating to the safeguarding of machinery.

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

Senate File No. 98, a bill for an act to empower the State Educational Board of Examiners to validate teachers' certificates issued in other states.

Passed on file.

Senate File No. 60, a bill for an act to validate and legalize the consolidation of the Dunleith & Dubuque Bridge Co., a corporation created under the laws of the State of Illinois, with the Dunleith & Dubuque Bridge Co., a corporation created under the laws of the State of Iowa, and validating and legalizing all rights and franchises exercised under said consolidation by said Iowa corporation, and all corporate acts and proceedings of the said Iowa corporation since the consolidation of the said Illinois corporation with it.

Passed on file.

Senate File No. 62, a bill for an act to legalize the acts and resolutions passed by the Board of Supervisors of Van Buren county, Iowa, making final settlement with H. L. McGrew, County Treasurer of said county, and releasing said H. L. McGrew and his bondsmen from liability on account of loss by reason of the deposit of county and other funds in a private banking house of E. H. Skinner and Co.

Passed on file.

Senate File No. 185, a bill for an act to amend Section Thirty-six Hundred and Fifty-six (3656) of the Code, relating to the appearance term for certain actions.

Passed on file.

Substitute for Senate File No. 120, a bill for an act to repeal the law as it appears in Section Nine Hundred and Fifty-five-a (955-a) of the Supplement to the Code, relating to compensation of waterworks trustees in special charter cities having a population of thirty thousand (30,000) or more.

Passed on file.

Senate File No. 119, a bill for an act to amend Chapter Fourteen (14) of Title Five (5) of the Code, relating to the management of waterworks in special charter cities having a population of thirty-five thousand (35,000) or more, and all acts or parts of acts in so far as they conflict with this act shall not be applicable to any such cities.

Passed on file.

House has concurred in Senate substitute to House File No. 102, a bill for an act to amend Sections Twenty-four Hundred and Sixty-seven (2467) and Twenty-four Hundred and Sixty-eight (2468) of the Code, relating to fire companies, and providing for a penalty for the violation of said sections.

Passed on file.

House has concurred in Senate amendment to House File No. 242, a bill for an act to legalize the submission to the electors of Chickasaw county, Iowa, the question, viz: "Shall the Board of Supervisors of Chickasaw county, Iowa, be empowered to expend and appropriate a sum not to exceed \$25,000 for the erection of a poorhouse for Chickasaw county, Iowa?"

Passed on file.

House has concurred in Senate amendments to House File No. 7, a bill for an act to regulate the transportation of dead bodies, and the practice of embalming, and to provide for examination and license of embalmers, and to provide penalties for violation.

Passed on file.

On request, leave of absence was granted Senator Saunders until Saturday.

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, FRIDAY, FEBRUARY, 22, A. D. 1907.

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

Prayer was offered by the Rev. S. L. Chandler of Ida Grove, Iowa.

PETITIONS AND MEMORIALS.

Senator Dowell presented petition of the Hebrew Republican Club of Des Moines, Iowa, protesting against the Galveston plan of city government and commending the system suggested by Governor Cummins in his message to the Thirty-second General Assembly.

Referred to Committee on Cities and Towns.

Senator McKlveen presented petition of Local Union No. 799, U. M. W. of A., favoring the passage of House File No. 45 and Senate File No. 33 relative to regulation of patent medicines.

Referred to Committee on Pharmacy.

Senator Hopkins presented petition of eighty-six constituents asking the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Taylor presented petition of citizens of Appanoose county favoring an appropriation to the State Board of Health for the benefit of the Bacteriological Laboratory.

Referred to Committee on Appropriations.

Senator Young presented petition of Local Union No. 855, U. M. W. of A., located at Lehigh, Iowa, favoring the passage of House File No. 45 and Senate File No. 33 relative to patent medicines.

Referred to Committee on Pharmacy.

Senator DeArmand presented petitions of the Davenport Commercial Club, and manufacturers, wholesalers and jobbers of Davenport, favoring the passage of Senate File No. 196, known as the "Sales in Bulk" bill.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Smith of Des Moines, Senate File No. 238, a bill for an act requiring any person, firm or corporation engaged in the business of making abstracts of title to furnish bond and providing punishment for making abstracts without filing such bond.

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

By Senator Wade, Senate File No. 239, a bill for an act amending Section One Thousand Three Hundred and Thirty-three (1333) of the Code Supplement, in relation to taxes paid by insurance companies other than those organized under the laws of the State of Iowa.

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

By Senator Stuckslager, Senate File No. 240, a bill for an act to amend Chapter One Hundred and Thirty-two (132) of the laws of the Thirtieth General Assembly of Iowa, entitled "An act prohibiting the willful taking of any electric current, gas or water from the wires, motors, pipes or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud. (Additional to Chapter Five (5), Title Twenty-four (24) of the Code) by making it applicable to steam heating plants and the taking of steam or steam heat.

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

By Senator Smith of Mitchell, Senate File No. 241, a bill for an act to amend Section One (1) of Chapter Eighty-nine (89) of the laws of the Thirty-first General Assembly, relating to actions against joint carriers.

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

By Senator Dunham, Senate File No. 242, a bill for an act to create a commission to examine, revise and codify the laws relating to the public schools, and such other purposes as may be incident thereto.

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

By Senator Dunham, Senate File No. 243, a bill for an act to amend the law as it appears in Section One Thousand Six Hundred and Ten (1610) of the Supplement to the Code, relating to "Articles of Incorporation and Incorporation Fees."

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

By Senator Gale, Senate Joint Resolution No. 3, 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.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Frudden, Senate File No. 119, a bill for an act to amend Chapter Fourteen (14) of Title Five (5) of the Code, relating to the management of waterworks in special charter cities having a population of thirty-five thousand (35,000) or more, and all acts or parts of acts in so far as they conflict with this act shall not be applicable to any such cities, was taken up and considered.

Senator Frudden moved that the Senate concur in the following House amendment:

Strike out the words "such cities" in line one, Section One (1), and insert in lieu thereof the words "special charter cities having a population of thirty-five thousand (35,000) or more".

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Seeley, Smith of Des Moines, Stirton,

Stookey, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Crossley, Gillilland, Jamison of Clarke, Nichols, Saunders, Smith of Mitchell, Stuckslager, Whipple, Whiting—9.

So the House amendment was concurred in.

REPORTS OF COMMITTEES.

Senator Gillilland, 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. 192, a bill for an act to amend Section Seven Hundred and Sixty-eight (768) of the Code, relating to vestibules on street cars, for the protection of employes operating such cars, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

Senator Gillilland, 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. 222, a bill for an act to amend Section Four Hundred and Thirty-three (433), Title Four (4), Chapter Two (2), laws of the Thirtieth General Assembly, fixing the amount supervisors may allow for the burial of deceased soldiers, beg leave to report that they have 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 Military.

SHIRLEY GILLILLAND,
Chairman.

Adopted.

So the bill was referred to the Committee on Military.

Senator Gillilland, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 204, a bill for an act to amend Section Seven Hundred and Seventy-six (776) of the Code, relating to the publication of notices of questions submitted to the voters of cities and incorporated

towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

Senator Gilliland, 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. 116, a bill for an act to amend Paragraph Three (3) of Section Eight Hundred and Ninety-four (894) of the Supplement to the Code, relating to the levy of a tax for a sewer 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 by substituting the following for Section One (1) thereof:

SECTION 1. The law as it appears in Paragraph Three (3) of Section Eight Hundred and Ninety-four (894) of the Supplement to the Code is hereby amended by adding thereto the following: Provided, that in cities of the second class, and towns, a levy of three additional mills may be made for the purpose of constructing or extending outlets to main sewers.

And when so amended the bill do pass.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

Senator Gilliland, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 164, a bill for an act to amend Section Seven Hundred (700) of the Supplement to the Code, relating to the licensing and regulation of keepers of intelligence or employment offices, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

By placing before the word "That" in the first line, following the enacting clause, the word and figure "Sec. 1".

Also by striking from the word "employments" in the sixth line of the bill the letter "s".

And when so amended the bill do pass.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

MR. PRESIDENT—Your joint committee, appointed to prepare a program for the celebration of Washington's birthday, at a joint session of the House and Senate, recommend the following:

Prayer—Representative Inman of Floyd county.

Speech—Representative Swift of Shelby county.
 Speech—Senator Crossley of Madison county.
 Speech—Representative Van Houten of Taylor county.
 Speech—Representative Harding of Woodbury county.
 Speech—Senator Gilliland of Mills county.
 Speech—Senator DeWolf of Grundy county.
 Song—"America," by the joint assembly.

J. H. JACKSON,
 E. G. MOON,
 WILLIAM G. JONES,

Committee on the part of the Senate.

JOHN LISTER,
 CLAUDE SPARKS,
 W. H. ARNEY,

Committee on the part of the House.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 7, a bill for an act to regulate the transportation of dead bodies, and the practice of embalming, and to provide for examination and license of embalmers, and to provide penalties for violation.

Also:

House File No. 72, a bill for an act to amend Section Forty-three Hundred and Forty-one (4341) of the Code, relating to actions of mandamus.

Also:

House File No. 102, a bill for an act to amend Sections Twenty-four Hundred and Sixty-seven (2467) and Twenty-four Hundred and Sixty-eight (2468) of the Code, relating to fire companies, and providing for a penalty for the violation of said sections.

Also:

House File No. 201, a bill for an act to reimburse John F. Riggs, Superintendent of Public Instruction, for sums paid out by him on account of the State Educational Board of Examiners.

Also:

House File No. 242, a bill for an act to legalize the submission to the electors of Chickasaw county, Iowa, the question, viz: Shall the Board of Supervisors of Chickasaw county, Iowa, be empowered to expend and appropriate a sum not to exceed twenty-five thousand dollars (\$25,000) for the erection of a poorhouse for Chickasaw county, Iowa?

W. B. SEELEY,
Chairman Senate Committee.
 PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

HOUSE MESSAGES CONSIDERED.

Senate concurrent resolution relative to adjournment from February 28 to March 5, was taken up.

Senator Smith of Mitchell moved that the vote by which the concurrent resolution passed the Senate be reconsidered.

Carried.

Senator Smith of Mitchell moved to amend the concurrent resolution by changing the time from March 5 at 1:30 o'clock P.M. to March 5 at 10 o'clock A.M.

Carried.

Senator Smith of Mitchell moved the adoption of the concurrent resolution as amended.

Adopted.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Elerick, House File No. 27, a bill for an act to amend the law as it appears in Chapter Thirty-seven (37) of the acts of the Thirty-first General Assembly, relating to the special election of township officers in newly created townships, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Elerick moved that the committee substitute be substituted for the original bill.

Carried.

Senator Elerick moved the adoption of the following amendment:

Amend by adding the following as Section Two (2):

SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Fairfield Tribune and the Des Moines Capital, newspapers published in Fairfield and Des Moines, Iowa.

Adopted.

The bill as amended was read for information.

Senator Elerick 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:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators Crossley, Frudden, Jamison of Clarke, Saunders, Whipple—5.

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

Senator Hopkins asked unanimous consent to have House File No. 220 made a special order for Tuesday, February 26, at 10:30 o'clock A.M.

Consent granted.

By unanimous consent, on motion of Senator Gilliland, Senate File No. 11, a bill for an act to amend Section Twenty-one Hundred and Thirteen (2113) of the Code, relating to the powers and duties of the Railroad Commissioners, was taken up, and considered.

The bill was read for information.

Senator Gilliland moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner.

Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators Crossley, Dowell, Jamison of Clarke, Saunders, Whipple—5.

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 DeArmand, Senate File No. 123, a bill for an act to repeal Section Forty-nine Hundred and Sixty-nine (4969) of the Code, providing for the punishment of cruelty to animals, and to enact a substitute therefor, was taken up and considered.

Senator DeArmand moved the adoption of the following amendment:

Amend by striking from the first line thereof, following the word "to", the word "repeal" and insert in lieu thereof the word "amend"; also by striking from the title all following the word "animals" in the second line thereof.

Adopted.

Senator DeArmand moved the adoption of the following amendment:

Amend by striking from the second and third line of Section One (1) of the bill all following the word "hereby" and inserting in lieu thereof the words "amended so as to read as follows:"

Adopted.

Senator DeArmand moved the adoption of the following amendment:

Amend by striking out the word and figure "Sec. 2" from the fourth line of the bill.

Adopted.

Senator DeArmand moved the adoption of the following amendment:

Amend by striking from the bill all of Sections Three (3), Four (4) and Five (5).

Adopted.

Senator DeArmand moved that the bill be re-referred to Committee on Cities and Towns.

Carried.

By unanimous consent, on motion of Senator Bruce, Senate File No. 136, a bill for an act to amend Section Fourteen (14) of Chapter One Hundred and Sixty-six (166) of the laws of the Thirty-first General Assembly, relating to the sale of canned goods, was taken up and considered.

The bill was read for information.

Senator Bruce moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—47.

The nays were:

None.

Absent or not voting:

Senators Jamison of Clark, Saunders, Whipple—3.

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 Maytag, Senate File No. 220, a bill for an act making an appropriation for the benefit of the State Hospital at Mount Pleasant, was taken up and considered.

The bill was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were :

None.

Absent or not voting :

Senators Dowell, Jamison of Clarke, Saunders, Whipple, Whiting—5.

So the bill having received a constitutional majority was declared to have passed the Senate.

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. 106, a bill for an act relating to fish and game, and making 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 same be referred to the Appropriations Committee.

W. C. KIMMEL,
Chairman.

Adopted.

So the bill was referred to Committee on Appropriations.

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. 59, a bill for an act to amend Sections Two Thousand Five Hundred and Fifty-five (2555) and Two Thousand Five Hundred and Fifty-six (2556) of the Code, relating to the care and propagation of fish and the protection of birds and game, beg leave to report that they have had the same under consideration and have in-

structed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. C. KIMMEL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Bleakly, 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. 43, a bill for an act to repeal Section Four Hundred and Sixty-nine (469) of the Code, and enacting a substitute therefor, providing for the compensation of county 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.

JOHN L. BLEAKLY,
Chairman.

Ordered passed on file.

Senator Bleakly, 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. 47, a bill for an act to amend Chapter Eighty-eight (88), laws of the Thirtieth General Assembly, relating to compensation of Deputy and Assistant Dairy Commissioners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JOHN L. BLEAKLY,
Chairman.

Ordered passed on file.

Senator Gale, from the Committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your Committee on Public Libraries, to whom was referred Senate File No. 228, a bill for an act authorizing the board of trustees of free public libraries to unite with any local County Historical Association for the preservation and protection of articles of a historical or educational nature, gathered by such association, and to expend money for the proper care of such collection, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

A. H. GALE,
Chairman.

Ordered passed on file.

Senator Gale, from the Committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your Committee on Public Libraries, to whom was referred Senate File No. 164, a bill for an act to amend the law as it appears in Section Three (3), Chapter Fourteen (14), Acts of the Thirty-first General Assembly, granting township trustees power to contract for use of public libraries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

A. H. GALE,
Chairman.

Ordered passed on file.

Senator Turner, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House File No. 151, a bill for an act to prevent the desecration of Memorial Day, and provide a penalty therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Strike out the period after the word "day", in the fourth line of Section One (1) and insert in lieu thereof a comma and the following words, "Prior to the hour of two o'clock p. m. of said day".

And when so amended the bill do pass.

D. W. TURNER,
Chairman.

Ordered passed on file.

Senator Turner, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 239, a bill for an act to amend Section Twenty-seven Hundred and Sixty-eight (2768) of the Code, relating to life insurance companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

D. W. TURNER,
Chairman Pro. Tem.

Ordered passed on file.

Senator Turner, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 50, a bill for an act relating to rates of fraternal beneficiary societies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

D. W. TURNER,
Chairman Pro. Tem.

Ordered passed on file.

Senator Turner, from the Committee on Insurance, submitted the following report :

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 47, a bill for an act regulating disbursements of domestic 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 do pass.

D. W. TURNER,
Chairman Pro. Tem.

Ordered passed on file.

Senator Turner, from the Committee on Insurance, submitted the following report :

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 21, a bill for an act regulating disbursements of 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 indefinitely postponed, it being identical with House File No. 47, herewith returned with recommendation for passage.

D. W. TURNER,
Chairman Pro. Tem.

Adopted.

So the bill was indefinitely postponed.

Senator Turner, from the Committee on Insurance, submitted the following report :

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 23, a bill for an act relating to rates of fraternal beneficiary societies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, it being identical with House File No. 50, herewith reported for passage.

D. W. TURNER,
Chairman Pro. Tem.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report :

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 129, a bill for an act making an appropriation for the salary and expenses of State agents, and other expenses incurred under Chapter One Hundred and Eighty-one (181) of the Acts 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 be amended by striking out the words and figures "Eight Thousand Dollars (\$8,000.00)" in the fifth and sixth lines of Section One (1), and inserting in lieu thereof "Seven Thousand Dollars (\$7,000.00)".

And when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Dowell, Senate concurrent resolution relative to the duties of janitress at the State House, was taken up and considered.

Senator Dowell moved that the concurrent resolution be referred to the Joint Committee on Retrenchment and Reform.

Carried.

Senator Gilliland moved that the Committee on Appropriations and the Committee on Agriculture be permitted to use the Senate Chamber for the purpose of holding a joint committee meeting Tuesday, February 26, at 1:30 o'clock P.M.

Carried.

REPORT OF COMMITTEE.

Senator Warren, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate File No. 50, a bill for an act regulating the election or appointment of the directors or other persons by whom the affairs of corporations organized on the stock plan for transacting the business of life or fire insurance companies are to be conducted, so as to secure proportionate representation to minority stockholders, and providing for the election of directors nominated by a majority of the stockholders; additional to Chapters One (1), Four (4), Six (6), Seven (7) and Eight (8) of Title Nine (9) of the Code, 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 be amended as follows:

Amend Senate File No. 50 as follows:

Section One (1), line seven, after the words "other persons" insert "performing the functions of directors".

Section One (1), line thirteen, strike out the period after "issued" and make it a semi-colon and insert "provided the holder or holders of the minority shares of stock shall only be entitled to one-fifth (disregarding

fractions) of the total number of directors to be elected for each one-fifth of the entire capital stock of such corporation so held by them; and, provided further, that this act shall not be construed to prevent the holders of a majority of the stock of any such corporation from electing the majority of its directors".

Section One (1), line sixteen, after the word "minority" insert "and majority".

And when so amended the bill do pass.

J. L. WARREN,
Chairman.

Ordered passed on file.

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

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

The Senate proceeded to the House to meet in joint convention.

JOINT CONVENTION.

The joint convention was called to order by Lieutenant Governor Garst, President of the joint convention.

The following program was rendered:

Prayer—Representative Inman, Floyd county.

Address—Representative Swift, Shelby county.

Address—Senator Crossley, Madison county.

Address—Representative Van Houten, Taylor county.

Address—Representative Harding, Woodbury county.

Address—Senator Gilliland, Mills county.

Address—Senator DeWolf, Grundy county.

Song, "Battle Hymn of the Republic"—Miss Pearl Barngrover.

Song, "America"—Assembly.

On motion of Senator Turner, the joint convention was dissolved.

The Senate returned from joint convention.

Senator Smith of Mitchell moved that the time of adjournment be extended until the Journal of yesterday be corrected.

Carried.

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

The President declared the Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, SATURDAY, FEBRUARY 23, A. D. 1907.

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

Prayer was offered by the Rev. James O'May of Council Bluffs, Iowa.

On request of Senator Frudden, leave of absence was granted Senator Whiting until next Thursday.

On request of Senator Saunders, leave of absence was granted Senator Clark until Monday.

PETITIONS AND MEMORIALS.

Senator Elerick presented petitions of eighty-nine different posts, Grand Army of the Republic, Department of Iowa, asking the enactment of a law which will prohibit games, horse races and similar amusements on Memorial Day.

Referred to Committee on Military.

Senator Crossley presented petition of registered pharmacists and manufacturers of his district, protesting against the Newberry Pure Food Bill.

Referred to Committee on Pharmacy.

President Garst presented petition of the National Board of Trade, requesting the General Assembly to make such modifications of the food and drug laws as will cause the definition of "adulteration" and "misbranding" to conform to such definitions in the Federal law.

Referred to Committee on Pharmacy.

Senator Eckles presented petition of citizens of Marshall county urging the passage of the proposed measure for the regulation of the manufacture and sale of patent medicines.

Referred to Committee on Pharmacy.

Senator Hughes presented petition of citizens of Iowa county asking an appropriation to the State Board of Health for the benefit of the Bacteriological Laboratory.

Referred to Committee on Public Health.

Senator Taylor presented petition of citizens of Davis county asking an appropriation for the benefit of the Benedict Home of Des Moines.

Referred to Committee on Appropriations.

Senator Bruce presented petition of constituents favoring the passage of a proposed measure for the protection of horse breeders relative to liens for stallion service.

Referred to Committee on Judiciary.

Senator Burgess presented petition of one hundred and forty-eight constituents favoring the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Allen presented petition of Farmers' Institute of Buena Vista county urging an appropriation for the purpose of installing short courses in agriculture in different parts of the State.

Referred to Committee on Appropriations.

Senator Moon presented petition of citizens of Eddyville favoring the passage of the proposed amendment to Section Four Thousand and Eleven (4011) of the Code.

Referred to Committee on Judiciary.

Senator Moon presented petition of Local Lodge, No. 152, United Mine Workers of America, favoring the passage of House File No. 76 and Senate File No. 86, relating to exemptions.

Referred to Committee on Judiciary.

Senator Allen presented petition of Farmers' Institute of Buena Vista county, asking a readjustment of freight rates on all railroads in Iowa.

Referred to Committee on Railroads.

Senator Allen presented petition of constituents asking an appropriation for the benefit of the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Stookey, Senate File No. 244, a bill for an act authorizing persons, firms or corporations engaged in the business of storing goods for profit, to issue warehouse receipts on the goods so stored; to regulate the issuance, negotiation and transfer of such receipts, and to provide punishment for violation of said regulations.

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

By Senator Turner, Senate File No. 245, a bill for an act directing the custodian of public buildings and property to prepare a case for the reception of flags carried by Iowa regiments during the Spanish-American war, and making appropriation therefor.

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

By Senator Wilson of Clinton, Senate File No. 246, a bill for an act to secure the payment of the claims of material men, merchants or laborers employed by contractors upon State, municipal or other public work.

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. 150, a bill for an act to amend Section Four Hundred and Thirty-two (432) of the Code, pertaining to meetings of Soldiers' Relief 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. 192, a bill for an act making an appropriation for the salary and expenses of State agents and other expenses incurred under Chapter One Hundred and Eighty-one (181) of the Acts 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. 125, a bill for an act to repeal Section Twenty-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. 283, a bill for an act to legalize the incorporation of the town of Linden, Dallas county, Iowa, the election of its officers, the passage, adoption and record of all of its ordinances, resolutions and rules, 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 indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate File No. 154, a bill for an act to amend the law as it appears in Section Twenty-six Hundred and Eight (2608) of the Supplement to the Code, relating to the Soldiers' Home at Marshalltown, raising the per capita tax from fourteen dollars (\$14.00) to sixteen dollars (\$16.00).

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. 41, a bill for an act providing for district sanitary conventions.

C. R. BENEDICT,
Chief Clerk.

Also :

MR. PRESIDENT—I am directed to inform your honorable body that the House insists on its amendments to the following bill, in which the concurrence of the Senate was asked:

Senate File No. 162, a bill for an act to amend Section Thirty-nine Hundred and Fifty-five (3955) of the Code, and to provide for the issuance of an execution when an outstanding execution is lost or destroyed, and the Speaker of the House names as conference committee on part of

House: Teter of Marion, Hackler of Webster, Harding of Woodbury, Arney of Marshall.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Concurrent resolution relative to publishing the drainage and road laws.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House File No. 150, a bill for an act to amend Section Four Hundred and Thirty-two of the Code, pertaining to meetings of Soldiers' Relief Commission.

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

House File No. 192, a bill for an act making an appropriation for the salary and expenses of State agents and other expenses incurred under Chapter One Hundred and Eighty-one (181) of the acts of the Thirty-first General Assembly.

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

House File No. 125, 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.

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

House File No. 283, a bill for an act to legalize the incorporation of the town of Linden, Dallas county, Iowa, the election of its officers, the passage, adoption and record of all of its ordinances, resolutions and rules, and all acts done by the council of said town.

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

House indefinitely postponed Senate File No. 154, a bill for an act to amend the law as it appears in Section Two Thousand Six Hundred and Eight (2608) of the Supplement to the Code,

relating to the Soldiers' Home at Marshalltown raising the per capita tax from Fourteen Dollars (\$14) to Sixteen Dollars (\$16).

Passed on file.

House failed to pass Senate File No. 41, a bill for an act providing for district sanitary conventions.

Passed on file.

House insists on its amendments to Senate File No. 162, a bill for an act to amend Section Three Thousand Nine Hundred and Fifty-five (3955) of the Code, and to provide for the issuance of an execution when an outstanding execution is lost or destroyed, and the Speaker names as conference committee on part of the House: Representatives Teter, Hackler, Harding and Arney.

Passed on file.

Concurrent resolution, relative to publishing the drainage and road laws.

Passed on file.

The President appointed as conference committee on the part of the Senate, on Senate File No. 162: Senators Dunham, Jamison of Clarke, Dowell and Saunders.

REPORTS OF COMMITTEES.

Senator Smith of Mitchell, 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. 203, a bill for an act requiring all corporations doing business within the State to make an annual report and pay an annual license fee to 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 be amended as follows:

1. By striking out the figure "1" after the word "Chapter" in the third line of Section Three (3) and inserting in lieu thereof the word "one" followed by figure "(1)"; and by striking out the numeral "IX" after the word "Title" in the Fourth line of Section Three and inserting in lieu thereof the word "Nine", followed by numeral "(IX)".

2. By striking out the figure "2" after the word "Chapter" in the last line of Section Eight (8) and inserting in lieu thereof the word "two" followed by figure "(2)" and by striking out the numeral "IX" after the word "Title" in the last line of Section Eight (8) and inserting in lieu thereof the word "Nine", followed by numeral "(IX)".

And when so amended the bill do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, 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. 209, a bill for an act to provide for the assessment and taxation of rural and farm telephone lines and amendatory and additional to Chapter One (1), Title Seven (7) of the Code of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAS. A. SMITH,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Smith of Mitchell, 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. 187, a bill for an act to amend Section Thirteen Hundred and Four (1304) of the Code, relating to property exempt from taxation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAS. A. SMITH,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 41, a bill for an act to provide for the payment, by counties, of a bounty for the destruction of pocket gophers, beg leave to report that they 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. E. BRUCE,
Chairman.

Adopted.

Senator Crossley, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 222, a bill for an act to amend Section Twenty-eight Hundred and Twenty-three-O (2825-O) of Chapter Fourteen-C (14-C) of the Supplement to the Code, relating to the distribution of books in school districts, beg leave to report that they have had the same under con-

sideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAMES J. CROSSLEY,
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 concurred in the following concurrent resolution, in which the concurrence of the House was asked:

Concurrent resolution relative to adjournment Thursday, February 28th, until March 5th, at 10:00 o'clock a. m.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 120, a bill for an act to repeal the law as it appears in Section Nine Hundred and Fifty-five-A (955-A) of the Supplement to the Code, relating to compensation of waterworks trustees in special charter cities having a population of thirty thousand (30,000) or more.

Also:

Senate File No. 185, a bill for an act to amend Section Thirty-six Hundred Fifty-six (3656) of the Code, relating to the appearance term for certain actions.

Also:

Senate File No. 98, a bill for an act to empower the State Educational Board of Examiners to validate teachers' certificates issued in other States.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 120, a bill for an act to repeal the law as it appears in Section Nine Hundred and Fifty-five-A (955-A) of the Supplement to the Code, relating to compensation of waterworks trustees in special charter cities having a population of thirty thousand (30,000) or more.

Also:

Senate File No. 185, a bill for an act to amend Section Thirty-six Hundred Fifty-six (3656) of the Code, relating to the appearance term for certain actions.

Also:

Senate File No. 98, a bill for an act to empower the State Educational Board of Examiners to validate teachers' certificates issued in other States.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
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. 120, a bill for an act to repeal the law as it appears in Section Nine Hundred and Fifty-five-A (955-A) of the Supplement to the Code, relating to compensation of waterworks trustees in special charter cities having a population of thirty thousand (30,000) or more.

Also:

Senate File No. 185, a bill for an act to amend Section Thirty-six Hundred Fifty-six (3656) of the Code, relating to the appearance term for certain actions.

Also:

Senate File No. 98, a bill for an act to empower the State Educational Board of Examiners to validate teachers' certificates issued in other States.

W. B. SEELEY,
Chairman.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Peterson, Senate File No. 205, a bill for an act providing for special assessments for sidewalks and street improvements in cities and towns upon the right of way of any railroad company fronting or abutting upon a street, highway, avenue, alley, public ground, wharf, landing or market place the same as upon any land or lot therein and providing for the collection thereof, with report of committee rec-

ommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Peterson moved that the rule be suspended, 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, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton—42.

The nays were:

None.

Absent or not voting:

Senators Allen, DeWolf, Gale, Jamison of Clarke, McManus, Whipple, Whiting, Young—8.

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 Smith of Des Moines, Senate File No. 104, a bill for an act to repeal Section Five (5), of Chapter Eighty-three (83), of the laws of the Thirty-first General Assembly, relating to levees built by the United States, and to enact a substitute therefor, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Smith of Des Moines moved that the committee substitute be substituted for the original bill.

Carried.

The bill was read for information.

Senator Gilliland moved the adoption of the following amendment:

I move to strike out the words "one or either" in the ninth line of

Section Four (4) and insert in lieu thereof the word "said" and insert after the word "Board" in the same line the words "or Boards".

Adopted.

Senator Smith of Des Moines moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton—44.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Jones, McManus, Whipple, Whiting, Young—6.

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. 242, 72, 102, 201, 7.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Maytag, Senate File No. 77, a bill for an act making appropriation for the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal School, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Maytag moved that the committee substitute be substituted for the original bill.

Carried.

Senator Maytag moved the adoption of the following amendment:

Amend Section One (1) by striking out the word "and" in line ten and insert after the word "hereafter" in line eleven the following: "and for contingent and repair fund the sum of four thousand five hundred dollars (\$4,500.00) annually hereafter."

Adopted.

The bill as amended was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Jamison of Clarke, McManus, Whipple, Whiting, Wilson of Fayette—6.

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

Senator Newberry asked unanimous consent that Senate File No. 18 be made a special order for next Wednesday at 10:30 o'clock A.M.

Consent granted.

By unanimous consent, on motion of Senator Allen, House File No. 179, a bill for an act to amend Chapter One Hundred and Eighty-six (186) of the laws of the Thirtieth General Assembly, relating to meandered lake beds, and enlarging the meaning of "a bona fide purchaser" under Section Seven (7) of said act,

with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Allen 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:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frud-den, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Clinton, Young—43.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Jamison of Clarke, McManus, Smith of Des Moines, Whipple, Whiting, Wilson of Fayette—7.

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 Maytag, Senate File No. 224, a bill for an act making appropriation to enable the State Railroad Commission to make an investigation of railway freight rates, was taken up and considered.

The bill was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frud-den, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, McKlveen, Mattes, Maytag, Moon, New-

berry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton—43.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Jamison of Clarke, Lambert, McManus, Whipple, Whiting, Young—7.

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

On request of Senator Hughes, leave of absence was granted Senator Seeley until Monday.

By unanimous consent, on motion of Senator Hopkins, House File No. 245, a bill for an act to legalize the incorporation of the town of Granger, Dallas county, Iowa, the election of its officers, the passage of all its ordinances and resolutions, and all acts done by the town 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 Hopkins 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:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Jamison of Clarke, McManus, Seeley, Whipple, Whiting—6.

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, House File No. 81, a bill for an act to amend Section Five Hundred and Twenty (520) of the Code, in relation to the exemption of witnesses by the coroner, and to provide a reporter, to be appointed by the coroner, at inquests or investigations, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Dowell moved that the committee substitute be substituted for the original bill.

Carried.

Senator Dowell 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:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Jamison of Clarke, McManus, Seeley, Stuckliger, Whipple, Whiting, Wilson of Fayette, Young—9.

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

Senator Maytag moved that when the Senate adjourn it be until 10 o'clock A.M. Monday.

Carried.

By unanimous consent, on motion of Senator Allen, Senate File No. 156, a bill for an act to amend Chapter One Hundred and Eighty-six (186) of the laws of the Thirtieth General Assembly, relating to meahdered lake beds, and enlarging the meaning of "a bona fide purchaser" under Section Seven (7) of said act, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

By unanimous consent, on motion of Senator Moon, Senate File No. 192, a bill for an act to amend Section Seven Hundred and Sixty-eight (768) of the Code, relating to vestibules on street cars for the protection of employes operating such cars, 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 the adoption of the following amendment:

Amend Section One (1) by striking out the word "four" at the end of section and insert word "all" in lieu thereof.

Adopted.

The bill as amended was read for information.

Senator Moon moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Senators Clark, DeWolf, Jamison of Clarke, Jones, McManus, Seeley, Whipple, Whiting, Young—9.

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

REPORTS OF COMMITTEES.

Senator McKlveen, from the Committee on Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Pharmacy, to whom was referred Senate File No. 157, a bill for an act to repeal Section Twenty-five Hundred Ninety-three (2593) of the Code, and to enact a substitute therefor, 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 recommendation that the same be amended as follows:

Strike out the words "when sold in original packages" as they appear in lines twenty-nine and thirty of Section One (1) of the bill.

Strike out the period after the word "dentists" in line thirty-one of the bill, substituting a semicolon therefor, and by adding to said line the following: "provided, however, that nothing herein contained shall be construed to permit or authorize the sale of any of the poisons herein named where the sale thereof is otherwise prohibited or regulated by law.

And when so amended the bill do pass.

J. A. MCKLVEEN,
Chairman.

Ordered passed on file.

Senator McKlveen, from the Committee on Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Pharmacy, to whom was referred Senate File No. 204, a bill for an act to amend the law as it appears in Section Two Thousand Five Hundred and Ninety-six-a (2596-a) of the Supplement to the Code, in relation to the sale of cocaine; and restricting the sale of certain other drugs, beg leave to report that they 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. A. MCKLVEEN,
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. 165, a bill for an act to amend Sec-

tion Twenty-four Hundred and Fifty-six (2456) of the Code, relating to the manufacture, transportation and sale of intoxicating liquors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

GEO. W. DUNHAM,
Chairman.

Ordered passed on file.

The President announced that he had signed, in the presence of the Senate, Senate Files Nos. 185, 120, 98.

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 25, A. D. 1907.

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

Prayer was offered by the Rev. S. L. Chandler of Ida Grove.

LEAVE OF ABSENCE GRANTED.

On request of Senator Mattes, leave of absence was granted Senator Crossley until tomorrow.

On request of Senator Wilson of Fayette, leave of absence was granted Senator Stuckslager until tomorrow.

On request of Senator Gilliland, leave of absence was granted Senator Whipple indefinitely on account of sickness.

On request of Senator Smith of Des Moines, leave of absence was granted Senator Stirton until next week.

On request of Senator Peterson, leave of absence was granted Senator Kimmel until tomorrow.

On request of Senator Stookey, leave of absence was granted Senator Jamison of Clarke until tomorrow.

PETITIONS AND MEMORIALS.

Senator Smith of Mitchell presented petition of sixty-seven constituents favoring the establishment of agricultural high schools in different places in the State.

Referred to Committee on Appropriations.

Senator Peterson presented petition of constituents living in and near Jewell favoring the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Warren, Senate File No. 247, a bill for an act to create and establish a department of domestic science in the Institution for the Deaf at Council Bluffs.

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

By Senator Smith of Mitchell, Senate File No. 248, a bill for an act to amend Sections One Hundred and Fifty-six (156) and One Hundred and Fifty-seven (157) of the Code, relating to the election and duties of the Secretary of the Executive Council and defining the duties of said Secretary, and to amend Sections One Thousand Three Hundred and Seventy-eight (1378) and One Thousand Three Hundred and Eighty-two (1382) of the Code.

Read first and second time and referred to Committee on Retrenchment and Reform.

By Senator Gilliland, Senate File No. 249, a bill for an act to amend Section Nine Hundred and Fifty-five (955) of the Code, relating to the establishment, erection, purchase, lease, maintenance or operation of certain public utilities and the granting of franchises for the same, so as to include heating plants.

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

By Senator Warren, Senate File No. 250, a bill for an act providing for the inspection of steam boilers; for safety appliances to be used on such boilers; for the appointment and compensation of boiler inspectors, the enforcement of the provisions of this act, and fixing penalties for the violation thereof.

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

HOUSE MESSAGE CONSIDERED.

Senate concurrent resolution, relative to adjournment from Thursday, February 28, until Tuesday, March 5, at 10 o'clock A.M.

Passed on file.

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. 142, a bill for an act to amend Section Three Hundred

Sixty (360) of the Code, relating to guaranty 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 indefinitely postponed.

C. C. DOWELL,
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 Senate File No. 143, a bill for an act to amend Section Three Thousand Three Hundred Six (3306) of the Code of Iowa, relating to non-resident executions, beg leave to report that they have 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.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 141, a bill for an act to repeal Section Five Thousand Four Hundred Forty-eight (5448) of the Code, and enact a substitute therefor, relating to appeals to the Supreme Court in criminal cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
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 Senate File No. 140, a bill for an act relating to the giving of bonds in relation to trust estates, and additional to Chapter Two (2) Title Seventeen (17) of the Code of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
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. 283, a bill for an act to legalize the incorporation of the town of Linden, Dallas county, Iowa, the election of its officers, the passage, adoption and record of all of its ordinances, resolutions and rules, 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. 240, a bill for an act to amend Chapter One Hundred Thirty-two (132) of the laws of the Thirtieth General Assembly of Iowa, entitled "An act prohibiting the willful taking of any electric current, gas or water from the wires, meters, pipes, or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud, additional to Chapter Five (5), Title Twenty-four (24) of the Code)", by making it applicable to steam heating plants and the taking of steam or steam heat, beg leave to report that they 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. 144, a bill for an act to repeal Section Four Thousand One Hundred Ten (4110) of the Code, and enact a substitute therefor, relating to appeals to the Supreme Court in civil cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Turner, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 128, a bill for an act to amend Section Seventeen Hundred

Forty-three (1743) of the Supplement to the Code, relative to the removal of goods and merchandise covered by 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 striking out the last four words of line two, all of line three, and all of line four except the two last words, so that the bill shall read, when so amended, as follows:

"SECTION 1. That Section Seventeen Hundred Forty-three (1743) of the Supplement to the Code be, and the same is hereby amended, by striking out the word "removal" in the fourteenth line of said section".

And when so amended the bill do pass.

D. W. TURNER,
Chairman Pro. Tem.

Ordered passed on file.

Senator Warren, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate File No. 127, a bill for an act to amend Chapter One (1), Title Nine (9) of the Code of 1897, relating to corporations for pecuniary profit and to provide a method for the approval of articles of incorporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the substitute hereto attached be adopted and when so adopted the same do pass.

SUBSTITUTE FOR SENATE FILE NO. 127.

A BILL for an act to amend Chapter One (1), Title Nine (9) of the Code, relating to corporations for pecuniary profit, and to provide a method for the approval of articles of incorporation.

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

SECTION 1. That when the articles of incorporation of any corporation hereafter organized are presented to the Secretary of State for the purpose of being filed, the Secretary of State shall, before the same are filed, submit them to the Attorney-General, whose duty it shall be to forthwith examine them and to prepare an opinion in writing touching the following points:

First. Whether the articles of incorporation are in the form required by law.

Second. Whether the object of the incorporation is a lawful object.

Third. Whether the plan proposed for transacting business of the corporation (if any plan is proposed in the articles) is a lawful plan.

Having so prepared his opinion in writing, it shall be the duty of the Attorney-General to transmit the same, together with the articles of incorporation to which it relates, to the Secretary of State, and if the corporation is organized in accordance with the law, for a lawful object

or objects, and with a proper plan for transacting business, he shall approve the said articles, in writing, endorsed thereon, and issue a certificate accordingly; otherwise, he shall disapprove them in writing, endorsed thereon.

J. L. WARREN,
Chairman.

The substitute was read first and second time and passed on file.

The President announced as committee on the part of the Senate, as provided in Senate File No. 44, an act to provide for the compilation of the laws of the Thirtieth, Thirty-first and Thirty-second General Assemblies, and the laws as they appear in the Supplement to the Code: Senators Dunham, Warren, DeWolf.

THIRD READING OF BILLS.

House File No. 114, a bill for an act to legalize certain acknowledgments and administrations of oaths, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Young was called to the chair at 10:20 o'clock.

Senator Turner moved the previous question.

Carried.

Senator Clark 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:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Elerick, Ericson, Foley, Frudden, Gale, Hopkins, Hughes, Jamieson of Page, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Taylor, Turner, Wade, Wilson of Clinton, Young—31.

The nays were:

Senators DeArmand, Dowell, Dunham, Eckles, Jackson, Jones, Saunders, Warren, Wilson of Fayette—9.

Absent or not voting:

Senators Crossley, DeWolf, Gilliland, Jamison of Clarke, Kimmel, Stirton, Stookey, Stuckslager, Whipple, Whiting—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. 161, a bill for an act to appropriate money for the purpose of erecting a monument over the grave of a Revolutionary soldier buried at Center Point, Linn 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. 138, a bill for an act making an appropriation for the erection of a monument in Elmwood cemetery, DeWitt, Iowa, in commemoration of the memory of one John Lepper, 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. 270, a bill for an act to amend Sections Five (5) and Six (6) of Chapter One Hundred Eighty-six (186), laws of the Thirtieth General Assembly, relating to the meandered lake beds in the State, and authorizing the Executive Council to survey and sell 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 Senate is asked:

House File No. 294, a bill for an act to legalize the incorporation of the town of Clutier, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions, and all acts done by the officials of said town while acting as such.

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 the following bill, in which the concurrence of the House was asked:

House File No. 211, a bill for an act to legalize the making of certain plats made by the County Auditors of Iowa or by the County Surveyor for the owner, 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 concurred in and passed Senate substitute to the following bill, in which the concurrence of the House was asked:

House File No. 131, a bill for an act to amend Section Four Hundred Twenty-two (422) of the Code, relative to the power of Boards of Supervisors, and granting additional power.

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. 64, a bill for an act to legalize certain actions of the Board of Supervisors of Appanoose county, Iowa, relating to Drainage District No. 1 of said county, and the issuance of bonds for the payment of the expenses, costs, costs of construction and fees.

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:

Substitute for Senate File No. 90, a bill for an act to amend Section Thirty-one Hundred Eighty-one (3181) of the Code, relating to divorces and marriage of divorced persons.

C. R. BENEDICT,
Chief Clerk.

President Garst resumed the chair at 10:55 o'clock.

THIRD READING OF BILLS.

House File No. 43, a bill for an act to repeal Section Four Hundred and Sixty-nine (469) of the Code and enacting a substitute therefor, providing for the compensation of county supervisors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Young moved the adoption of the following amendment:

Strike out the following words in sub-Section Three (3) of Section One (1) in third and fourth lines from the last in said sub-section:

“And the compensation for services in ditch and drainage matters shall be paid from the ditch fund”.

Adopted.

Senator Allen moved the adoption of the following amendment:

Amend by striking out the word “thirty” in line six from the last line of said section and insert the word “fifty”.

Adopted.

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

On the question, “Shall the bill pass?”

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Taylor, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeWolf, Jamison of Clarke, Jones, Stirton, Stuckslager, Turner, Whipple, Whiting—9.

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

The President announced the following communication from the Governor, which was read:

MESSAGE FROM THE GOVERNOR.

To the Senate and House of Representatives:

GENTLEMEN—I transmit herewith a joint report of the Iowa Vicksburg Park Monument Commission, the Iowa Shiloh Battlefield Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, and the Iowa Andersonville Prison Monument Commission. It relates to the dedication of our monuments at Vicksburg, Andersonville, Lookout Mountain, Missionary Ridge, and Shiloh. It has been prepared with loving care by the secretaries of the four commissions, and it forms the history of the most interesting, impressive and solemn ceremonies I have ever witnessed. The members of these commissions, as well as every Iowa soldier with whom I have discussed the subject, feel that it is due to the memory of the dead who laid down their lives in this prison and upon these battlefields, to those who have since passed beyond the river, to the heroic few who still survive, and to the present generation which enjoys the blessings of the victories there won, that the report should be published in such form as will make it a lasting part of the annals of the State. I share this feeling, and I earnestly recommend its publication.

In view of the occurrences of the past few days, it is not inappropriate for me, in presenting this report, to say that the soldiers who compose these commissions are men of the best type; that they not only served their country well in the days of its peril, but they served their country well in the times of peace. They have performed the work committed to them with a fidelity never surpassed, and the monuments which they have erected are distinguished for the beauty and felicity of their design and for the economy with which the work has been done. These commissioners have given their time freely, without any compensation whatsoever. There is not one of them but who has expended, in the discharge of his duty, more than the State has ever repaid, or will ever repay, to him. They have earned, and they ought to receive, the gratitude of every loyal citizen of the State.

As the monuments upon the various fields neared completion, each of the commissions invited me, as Governor of the State, to attend the dedicatory ceremonies, to receive the monuments and transfer them to the general Government. I looked upon the invitations as imperative calls of duty. No command ever put upon me by the law was more binding upon my conscience than the obligation to render this last tribute to the gallant soldiery of a patriotic State. If the monuments had been dedicated at different times, it would have involved four independent visits to the south, and the expense would have been very great. Therefore, it was suggested that the commissions join in a single journey; first, because it would make the occasion more significant; second, because it would involve much less expense. The original appropriations did not authorize a joinder, and thereupon the Thirty-first General Assembly appropriated \$7,500.00 to be expended for this purpose. The combined commissions organized a committee, of which Captain J. F. Merry, of Manchester, was chairman. This committee planned the dedications, and

the commissions executed the plans. I had nothing whatsoever to do with the arrangements, so carefully and adequately made. I was merely an invited guest. The committee originally set aside one car for myself and staff, but inasmuch as I decided to take but a portion of my staff, it authorized me to fill the car with others whom I might invite. I attach hereto a statement showing the expenses incurred in preparing for the dedicatory services and dedicating these monuments. Not one penny of the appropriation of \$7,500.00 was paid out for me, for my staff, or for any one who was invited by me. The chairman of the committee requested me to make an arrangement for a band. I did so, reported the arrangement to him, and the payments for the railroad, dining car, sleeping car and boat fare, together with the compensation of \$2.50 per day for each member of the band, with \$5.00 per day for the leader, were made through me simply because I was a member of the Executive Council, and the payments had to be made by order of the Executive Council. I had nothing whatever to do with the train or with the invitations extended to those who made the journey, save as to the one car of which I have spoken.

The expenses of the dedication were more than \$7,500.00, and it happened, as I have been told, in this way: The members of the joint committee, misled by the language of the first section of the act of the Thirty-first General Assembly, proceeded upon the hypothesis that the incidental expense of preparing for the dedications, such as meetings of the members of the commissions, printing, programs, etc., would be paid out of the original appropriation for the construction of the monuments. It is not strange that the misconception arose, and no matter what may be thought should be done under the circumstances, the money was honestly expended. When the bills were all collected in the hands of the Executive Council, it was discovered that they exceeded, by \$869.48 the appropriation. The Attorney-General advised the Council that it was its duty to pay, first, all of the expense incurred outside the traveling expenses of the members of the commissions. When this was done, there remained, substantially, enough to pay 70 per centum of the traveling expenses of the members, and this payment has been made. I believe that, notwithstanding the mistake, the members of the commissions ought to be reimbursed. Their work has been done for the people of the State; it has been faithfully done; it has been done without any reward whatever, and I cannot believe that the men of Iowa who revere the memories of the Civil War would be content to allow these old soldiers to bear the loss which their misunderstanding has caused.

It has been reported that the speakers who were invited by the commissions to deliver addresses at the several dedications were paid for their services. The report is atrociously false. Not one of them received more than his actual outlay, and most of them less.

I desire a word with respect to my part in the occasion: The act of the Thirty-first General Assembly provided that the expenses of myself and staff should be paid from my contingent fund. I might have taken all the members of my staff. It would have been fitting to have done so, but I did not. I took with me, at the expense of the State, just five out of the seventeen members of the staff. Four of these five were veterans

of the Civil War, and one a veteran of the Spanish War. Three of them could have demanded the pay of their rank while on duty, but they did not. Each of them was paid just his railroad, sleeping car, dining car and boat fare. Each of them expended a considerable sum in addition to these fares, but for such excess no reimbursement has ever been or will be made, for it has not been, nor will it be, asked. Two other members of my staff volunteered to go, and they paid their own expenses. The only money paid out by me from my contingent fund was for these five members of my staff, my own expenses, those of my secretary, and a very small item for meals for my messenger. Under the direction of the joint committee, I invited my associate members of the Executive Council, and two of them accepted the invitation. They paid their own expenses. I invited, also, the Attorney-General-elect. He paid his own expenses. My wife accompanied me, and all her expenses I paid from my own funds. This journey cost me nearly \$200.00 more than I drew from the State of Iowa—money that should have been paid by the State of Iowa, but I paid it myself, although I could illy afford to do so, simply because I knew that partisan and personal malice would spill their venom over even such a mission, and I wanted to be far within my rights.

These things are, however, of but little importance compared with the effort to stain the occasion with the epithets that have been applied to it. The man, whether in office or out of office, who describes this solemn, sorrowful and sacred journey as a "junket" is either strangely ignorant of his mother tongue or strikingly indifferent to the purpose of the visit. Ask the men and women who saw the flags lifted from our memorial at Vicksburg, and felt the rush of emotion as they remembered the dead and dying of forty years before, whether they were engaged in merry-making. Ask the men and women who stood amid the graves at Andersonville, with tearful eyes and throbbing hearts, whether they were enjoying the pleasures of a "picnic." Ask the men and women who gathered around the monuments on Lookout Mountain and Missionary Ridge, and wept as the memories of daring courage swept over them, whether they were parts of a convivial entertainment. Ask the men and women who surrounded the beautiful shaft at Shiloh, and whose very souls were beaten with a storm of sorrow as their eyes fell upon the ground that had been saturated with the blood of Iowa's best boys, whether they were feasting upon the joys of life. For the poisoned arrows directed toward me, I care nothing; they have ceased to sting; but for the sake of the soldiers, whose fame these monuments perpetuate, and for the honor of the State, no man shall, if words of mine can prevent it, degrade this holy journey of dedication to the low level of a "junket."

Respectfully submitted,

Albert B. Cummings

February 25, 1907.

STATEMENT OF EXPENSES

of the Iowa Vicksburg Park Monument Commission, the Iowa Shiloh Battlefield Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, and the Iowa Andersonville Prison Monument Commission:

VICKSBURG.

	Amount of Bills Filed.	70 Per Cent Allowed.
J. F. Merry.....	\$ 81.53	\$ 57.07
J. H. Dean.....	106.90	74.83
W. H. Jaques.....	130.50	91.34
D. A. Haggard.....	112.70	78.89
H. H. Rood.....	115.80	81.06
J. A. Fitzpatrick.....	117.55	82.28
L. C. Blanchard.....	108.30	75.81
W. P. Mitchell.....	123.20	86.24
E. J. C. Bealer.....	108.30	75.81
	<u>\$1,004.78</u>	<u>\$ 703.35</u>

SHILOH.

W. B. Bell.....	\$119.70	\$ 83.78
A. J. Miller.....	100.45	70.31
G. L. Godfrey.....	104.05	72.83
C. W. Kepler.....	123.83	86.68
John Hayes.....	110.15	77.10
G. O. Morgridge.....	60.00	42.00
J. W. Carson.....	113.47	79.42
G. W. Crossley.....	123.97	86.77
R. G. Reiniger.....	101.50	71.05
Daniel Matson.....	105.00	73.50
	<u>\$1,062.12</u>	<u>\$ 734.44</u>

LOOKOUT MOUNTAIN.

T. C. Alexander.....	\$116.70	\$ 81.69
John A. Young.....	127.70	89.59
S. B. Humbert.....	110.35	77.24
Alonzo Abernethy.....	130.25	91.17
Mahlon Head.....	107.20	75.04
E. B. Bascom.....	127.25	89.07
Elliott Frazier.....	94.70	66.29
J. D. Fegan.....	99.15	69.40
Frank Critz.....	104.40	73.08
F. P. Spencer.....	111.35	77.94
	<u>\$1,129.05</u>	<u>\$ 790.31</u>

ANDERSONVILLE.

J. A. Brewer.....	\$115.45	\$ 80.81
D. C. Bishard.....	142.20	99.53
W. C. Tompkins.....	110.43	77.30
M. V. B. Evans.....	118.30	82.81
	<u> </u>	<u> </u>
	\$ 486.38	\$ 340.45
Total	\$3,682.33	\$2,577.53

BILLS PAID IN FULL.

VICKSBURG.

J. F. Merry.....	\$150.65
S. D. Childs.....	236.69
Manchester Press.....	53.00
Vicksburg Herald.....	50.00
Poole Bros.....	16.25
H. H. Rood.....	50.50
Chas. A. Clark.....	100.00
H. S. M. Byers.....	100.00
Record Printing Co.....	232.50
	<u> </u>
	\$ 989.59

SHILOH.

John Hayes.....	\$ 63.75
G. W. Crossley.....	158.23
A. L. Frisbie.....	100.00
J. B. Weaver.....	100.00
N. E. Kendall.....	100.00
W. B. Bell.....	19.50
	<u> </u>
	\$ 521.48

LOOKOUT MOUNTAIN.

Alonzo Abernethy.....	\$ 75.35
R. D. Cramer.....	107.50
John A. Young.....	10.50
	<u> </u>
	\$ 193.35

ANDERSONVILLE.

J. A. Brewer.....	\$ 5.20
H. S. Hedrick.....	100.00
Bishard Bros.....	22.50
D. C. Bishard.....	10.25
	<u> </u>
	\$ 137.95
E. P. Peterson, official stenographer.....	\$105.25
W. H. C. Jaques.....	2.93
	<u> </u>
	\$108.18

MUSICIANS.

Twenty-three men, railroad fare.....	\$901.60	
Twenty-three men, sleeping car and meals.....	805.00	
Twenty-three men, boat fare.....	230.00	
Twenty-three men, compensation.....	800.00	
		\$2,736.60
<hr/>		
Total		\$4,687.15

RECAPITULATION.

Amount of appropriation.....	\$7,500.00	
Total of bills filed.....		\$8,369.48
Amount of the deficiency.....	869.48	
		<hr/>
	\$8,369.48	\$8,369.48
Total of bills paid in full.....		4,687.15
Total of bills on which 70 per cent was paid.....		2,577.33

NOTE.—One bill of \$15.00 is on file, but not allowed.

THIRD READING OF BILLS.

Senate File No. 8, a bill for an act to amend the law as it appears in Chapter Sixty-eight (68), acts of the Thirtieth General Assembly and in Chapter Eighty-five (85) of the acts of the Thirty-first General Assembly, in relation to levees, ditches, drains and watercourses, was taken up and considered.

Senator Smith of Des Moines moved the adoption of the following amendment:

I move to amend Section Two (2) by inserting in the sixth line after "a" the words "statement in".

Adopted.

The substitute was read for information.

Senator Smith of Des Moines moved that the substitute be substituted for the original bill.

Carried.

Senator Smith of Des Moines moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were :

None.

Absent or not voting :

Senators Crossley, DeWolf, Hopkins, Jamison of Clarke, Stirton, Stuckslager, Whipple, Whiting—8.

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

Senate File No. 164, a bill for an act to amend the law as it appears in Section Three (3), Chapter Fourteen (14), acts of the Thirty-first General Assembly granting township trustees powers to contract for use of public libraries.

The bill was read for information.

Senator Saunders moved that the time of adjournment be extended until the bill under consideration be disposed of, the Journal of Saturday be corrected and the consideration of House messages.

Carried.

Senator Ericson moved that the rule be suspended, 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, Bruce, Burgess, Clark, DeArmand, Eckles, Ericson, Frudden, Gale, Gilliland, Hughes, Jamieson of Page, Kimmel, Kinne, McKlveen, McManus, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Taylor, Turner, Warren, Wilson of Fayette—27.

The nays were:

Senators Allen, Dowell, Elerick, Lambert, Smith of Des Moines, Wilson of Clinton, Young—7.

Absent or not voting:

Senators Crossley, DeWolf, Dunham, Foley, Hopkins, Jackson, Jamison of Clarke, Jones, Maytag, Stirton, Smith of Mitchell, Stookey, Stuckslager, Wade, Whipple, Whiting—16.

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 Wilson of Fayette moved that when the Senate adjourn Wednesday forenoon it be until 1:30 o'clock P.M.

Carried.

HOUSE MESSAGES CONSIDERED.

House File No. 161, a bill for an act to appropriate money for the purpose of erecting a monument over the grave of a Revolutionary soldier buried at Center Point, Linn county, Iowa.

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

House File No. 138, a bill for an act making an appropriation for the erection of a monument in Elmwood cemetery, DeWitt, Iowa, in commemoration of the memory of one John Lepper, and providing the method of such erection.

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

House File No. 270, a bill for an act to amend Sections Five (5) and Six (6) of Chapter One Hundred and Eighty-six, laws of the Thirtieth General Assembly, relating to the meandered lake beds in the State, and authorizing the Executive Council to survey and sell the same.

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

House File No. 294, a bill for an act to legalize the incorporation of the town of Clutier, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such.

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

House has concurred in Senate amendment to House File No. 211, a bill for an act to legalize the making of certain plats made by the county auditors of Iowa or by the county surveyor for the owner, 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.

Passed on file.

House has concurred in Senate substitute to House File No. 131, a bill for an act to amend Section Four Hundred and Twenty-two (422) of the Code, relative to the power of boards of supervisors and granting additional powers.

Passed on file.

House has amended and passed substitute for Senate File No. 64, a bill for an act to legalize certain actions of the board of supervisors of Appanoose county, Iowa, relating to drainage district No. 1 of said county, and the issuance of bonds for the payment of the expenses, costs, costs of construction and fees.

Passed on file.

House has indefinitely postponed substitute for Senate File No. 90, a bill for an act to amend Section Three Thousand One Hundred and Eighty-one (3181) of the Code, relating to divorces and marriage of divorced persons.

Passed on file.

The President declared the Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, FEBRUARY 26, A. D. 1907.

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

Prayer was offered by the Rev. Herbert O. Allen of Osage.

PETITIONS AND MEMORIALS.

Senator Mattes presented petition of citizens of Sac county asking an appropriation for the benefit of the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Lambert presented petition of constituents asking that Chapter Fifty-three (53) of the laws of the Twenty-ninth General Assembly be so amended that the township road tax may be liquidated by labor instead of cash, as now required.

Referred to Committee on Highways.

Senator Turner presented petition of constituents asking the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Gilliland presented petition of farmers living in the vicinity of Griswold, Iowa, asking that there be established at Red Oak, Iowa, an agricultural, manual training and domestic science school.

Referred to Committee on Appropriations.

Senator Foley presented petition of constituents asking the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Jackson presented petition of manufacturers, wholesalers and jobbers urging the passage of Senate File No. 196, known as the Bulk Sales Bill.

Referred to Committee on Judiciary.

Senator Bleakly presented petition of employes of the I. C. R. R. at Cherokee, Iowa, favoring the repeal of Section Two Thousand and Seventy-one (2071) of the Code and Section Two Thousand and Seventy-one (2071) of the Supplement to the Code, relating to liability of railways.

Referred to Committee on Railroads.

President Garst presented petitions of citizens of West Liberty, Durant and Walcott, Iowa, asking for a favorable consideration of Senate File No. 136, relative to an extension of the exemption period of the Pure Food Law so far as it applies to canned corn and canned peas.

Referred to Committee on Judiciary.

Senator Stuckslager presented petition of Linden Camp, No. 4169, Modern Woodmen of America, located at Walker, Iowa, protesting against the proposed measure to compel the raising of rates of fraternal insurance companies.

Referred to Committee on Insurance.

INTRODUCTION OF BILLS.

By Senator Ericson, Senate File No. 251, a bill for an act to acquire for the State, either by purchase or condemnation, any lot or lots in Blocks Three (3), Four (4), Six (6), H. Lyons' addition, and Blocks Five (5), Six (6) and Seven (7), Scott's addition, all now forming a part of the city of Des Moines, Polk county, Iowa, and to make an appropriation therefor.

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

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. 95, a bill for an act to indemnify Charles H. Tribby for damages caused by sewerage from the State Hospital for Insane at

Mount 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 be amended as follows:

Amend Section One (1) by striking out of lines one, two and three the words and figures "one thousand seven hundred and ninety-two dollars and sixty-six cents (\$1,792.66)" and inserting the words and figures "one thousand fifty dollars (\$1,050.00)".

Amend Section Two (2) by striking out of the third and fourth lines the words and figures "one thousand seven hundred and ninety-two dollars and sixty-six cents (\$1,792.66)" and inserting the words and figures "one thousand fifty dollars (\$1,050.00)".

And when so amended the bill be referred to the Committee on Appropriations with the recommendation that the same do pass.

CHAS. ECKLES,
Chairman.

Ordered passed on file.

Senator Turner, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House File No. 118, a bill for an act to amend Section Twenty-six Hundred and Two (2602) of the Code, relating to admission of persons 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 adding to Section Two (2) the following words:

"Nothing in this act shall be construed to bar any person from admission who is entitled to such admission under Section Twenty-six Hundred and Two (2602) of the Code".

And when so amended the bill do pass.

D. W. TURNER,
Chairman.

Ordered passed on file.

Senator Turner, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House File No. 150, a bill for an act to amend Section Four Hundred Thirty-two (432) of the Code, pertaining to meetings of the Soldiers' Relief Commission, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

D. W. TURNER,
Chairman.

Ordered passed on file.

Senator Turner, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate File No. 222, a bill for an act to amend Section Four Hundred and Thirty-three (433), Title Four (4), Chapter Two (2), laws of the Thirtieth General Assembly, fixing the amount supervisors may allow for the burial of deceased soldiers, beg leave to report that they have 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 title by striking out after the comma following figure two (2) of title the words "Laws of the Thirtieth General Assembly", and inserting in lieu thereof "of the Code and amendatory acts thereof".

Also amend Section One (1) by striking out after the comma following figure two (2) the words "Laws of the Thirtieth General Assembly", and inserting in lieu thereof "of the Code and amendatory acts thereof".

And when so amended the bill do pass.

D. W. TURNER,
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. 238, a bill for an act requiring any person, firm or corporation engaged in the business of making abstracts of title to furnish bond, and providing punishment for making abstracts without fling such bond, beg leave to report that they have 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.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 221, a bill for an act to repeal Sections Three Hundred and Ninety-eight (398) and Four Hundred (400) of the Code, in reference to the re-location of county seats, and to enact substitutes therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

REPORT OF COMMITTEE ON ENROLLED BILLS. *

Senator Seeley, 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. 119, a bill for an act to amend Chapter Fourteen (14) of Title Five (5) of the Code, relating to the management of waterworks in special charter cities having a population of thirty-five thousand (35,000) or more, and all acts or parts of acts in so far as they conflict with this act shall not be applicable to any such cities.

Also:

Senate File No. 60, a bill for an act to validate and legalize the consolidation of the Dunleith & Dubuque Bridge Co., a corporation created under the laws of the State of Illinois, with the Dunleith & Dubuque Bridge Co., a corporation created under the laws of the State of Iowa, and validating and legalizing all rights and franchises exercised under said consolidation by said Iowa corporation, and all corporate acts and proceedings of the said Iowa corporation since the consolidation of the said Illinois corporation with it.

Also:

Senate File No. 62, a bill for an act to legalize the acts and resolutions passed by the Board of Supervisors of Van Buren county, Iowa, making a final settlement with H. L. McGrew, County Treasurer of said county, and releasing said H. L. McGrew and his bondsmen from liability on account of loss by reason of the deposit of county and other funds in the private banking house of E. H. Skinner & Co.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 119, a bill for an act to amend Chapter Fourteen (14) of Title Five (5) of the Code, relating to the management of waterworks in special charter cities having a population of thirty-five thousand (35,000) or more, and all acts or parts of acts in so far as they conflict with this act shall not be applicable to any such cities.

Also:

Senate File No. 60, a bill for an act to validate and legalize the consolidation of the Dunleith & Dubuque Bridge Co., a corporation created

under the laws of the State of Illinois, with the Dunleith & Dubuque Bridge Co., a corporation created under the laws of the State of Iowa, and validating and legalizing all rights and franchises exercised under said consolidation by said Iowa corporation, and all corporate acts and proceedings of the said Iowa corporation since the consolidation of the said Illinois corporation with it.

Also:

Senate File No. 62, a bill for an act to legalize the acts and resolutions passed by the Board of Supervisors of Van Buren county, Iowa, making a final settlement with H. L. McGrew, County Treasurer of said county, and releasing said H. L. McGrew and his bondsmen from liability on account of loss by reason of the deposit of county and other funds in the private banking house of E. H. Skinner & Co.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

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. 119, a bill for an act to amend Chapter Fourteen (14) of Title Five (5) of the Code, relating to the management of waterworks in special charter cities having a population of thirty-five thousand (35,000) or more, and all acts or parts of acts in so far as they conflict with this act shall not be applicable to any such cities.

Also:

Senate File No. 60, a bill for an act to validate and legalize the consolidation of the Dunleith & Dubuque Bridge Co., a corporation created under the laws of the State of Illinois, with the Dunleith & Dubuque Bridge Co., a corporation created under the laws of the State of Iowa, and validating and legalizing all rights and franchises exercised under said consolidation by said Iowa corporation, and all corporate acts and proceedings of the said Iowa corporation since the consolidation of the said Illinois corporation with it.

Also:

Senate File No. 62, a bill for an act to legalize the acts and resolutions passed by the Board of Supervisors of Van Buren county, Iowa, making a final settlement with H. L. McGrew, County Treasurer of said county, and releasing said H. L. McGrew and his bondsmen from liability on account of loss by reason of the deposit of county and other funds in the private banking house of E. H. Skinner & Co.

W. B. SEELEY,

Chairman.

Adopted.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Taylor, House substitute for Senate substitute for Senate File No. 64, a bill for an act to legalize certain actions of the board of supervisors of Appanoose county, Iowa, relating to drainage district No. 1 of said county and the issuance of bonds for the payment of the expenses, costs of construction and fees, was taken up, and considered.

The substitute was read first and second time.

Senator Taylor moved that the rules be suspended and the bill be read for information.

Carried.

The bill was read for information.

Senator Taylor moved that the Senate concur in the House substitute for Senate substitute for Senate File No. 64.

On the question, "Shall the Senate concur in the House substitute for Senate substitute for Senate File No. 64?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Stuckslager, Taylor, Wade, Whipple, Wilson of Fayette, Wilson of Clinton—42.

The nays were:

None.

Absent or not voting:

Senators Allen, Dunham, Moon, Stirton, Turner, Warren, Whiting, Young—8.

So the Senate concurred in the House substitute for the Senate substitute for Senate File No. 64.

Senator Elerick moved that the time for convening of the Senate for the balance of the week be at 9:30 o'clock A.M.

Carried.

The President announced that he had signed, in the presence of the Senate, Senate Files No. 62, 60 and 119.

Senator Saunders moved that the special order be now taken up.

Carried.

THIRD READING OF BILLS.

House File No. 220, a bill for an act to repeal Sections Twenty Hundred Seventy-six and Twenty Hundred Seventy-seven of the Code and to enact substitutes therefor, relative to classifications of railroads and passenger transportation charges thereby, was taken up and considered.

Senator Hopkins moved the adoption of the following amendment:

Amend by striking out the period after the word "prescribed" in line ten of Section Two (2), and inserting a comma in lieu thereof; also by adding, following the comma, the words "provided, however, that every railroad corporation shall be entitled to charge a minimum fare of ten (10) cents for the transportation of each passenger with ordinary baggage for any distance not exceeding five miles".

Adopted.

Senator Hopkins moved the adoption of the following amendment:

Also by striking out the period after the word "train" in the thirteenth line of Section Two (2), and inserting a comma in lieu thereof; also by adding, following the comma, the words "except in those cases where a minimum of ten (10) cents is charged for a distance of less than five miles as above provided".

Adopted.

Senator Jones moved that the vote by which the first committee amendment was adopted be reconsidered.

Carried.

Senator Jones offered the following amendment to the committee amendment and moved its adoption:

Amend by striking out the word "minimum" in the fourth line of the first amendment and by inserting the words "not to exceed" after the word "of" and before the word "ten".

Adopted.

The amendment as amended was adopted.

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

On the question, "Shall the bill pass?"

The yeas were :

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—48.

The nays were :

None.

Absent or not voting :

Senators Stirton, Whiting—2.

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 Mattes, Senate File No. 50, a bill for an act regulating the election or appointment of the directors or other persons by whom the affairs of corporations organized on the stock plan for transacting the business of life or fire insurance companies are to be conducted, so as to secure proportionate representation to minority stockholders and providing for the election of directors nominated by a minority of the stockholders; additional to Chapters One (1), Four (4), Six (6), Seven (7) and Eight (8) of Title Nine (9) of the Code, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted. , ,

Senator Mattes moved the adoption of the following committee amendment :

Amend Section One (1), line seven, after the words "other persons" by inserting "performing the functions of directors".

Adopted.

Senator Mattes moved the adoption of the following committee amendment:

Amend Section One (1), line thirteen, by striking out the period after "issued" and making it a semi-colon and inserting "provided the holder or holders of the minority shares of stock shall only be entitled to one-fifth (disregarding fractions) of the total number of directors to be elected for each one-fifth of the entire capital stock of such corporation so held by them; and, provided further, that this act shall not be construed to prevent the holders of a majority of the stock of any such corporation from electing the majority of its directors".

Adopted.

Senator Mattes moved the adoption of the following committee amendment:

Amend Section One (1), line sixteen, after the word "minority" by inserting "and majority".

Adopted.

The bill as amended was read for information.

Senator Mattes moved that the further consideration of the bill be deferred at this time and that it be made a special order for 10 o'clock A.M. tomorrow.

Carried.

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

Senator Crossley moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9:30 o'clock A.M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, FEBRUARY 27, A. D. 1907.

Senate met in regular session at 9:30 o'clock A.M., President Garst presiding.

Prayer was offered by the Rev. E. G. Beyer of Brighton, Iowa.

On request of Senator Bleakly, leave of absence was granted Senator Stuckslager for today and tomorrow.

PETITIONS AND MEMORIALS.

Senator Ericson presented petition of forty-one citizens of Maxwell, Iowa, favoring an appropriation for the benefit of the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Whipple presented petitions of forty-one citizens of Toledo and eighty-three citizens of Gladbrook, Iowa, favoring the establishment of a women's reformatory at some town where there is no penitentiary.

Referred to Committee on Appropriations.

President Garst presented petition of citizens of De Witt, Iowa, asking a favorable consideration of Senate File No. 136, which provides for the extension of the exemption period of the Pure Food Law so far as it applies to canned corn and canned peas.

Referred to Committee on Agriculture.

President Garst presented petition of the Superintendent of Franchise for the W. C. T. U. of Iowa urging a favorable consideration of the measures relating to women's suffrage and women's reformatory.

Referred to Committee on Constitutional Amendments and Suffrage.

INTRODUCTION OF BILLS.

By Senator Jamison of Clarke, Senate File No. 252, a bill for an act to pay the expenses of J. W. Cliff in his contest for the office of Secretary of the Senate of the Twenty-fourth General Assembly.

Read first and second time and referred to Committee on Claims, and to be referred to the Committee on Appropriations later.

By Senator Ericson, Senate File No. 253, 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 Dunham, Senate File No. 254, a bill for an act to amend Chapter One Hundred and Twenty (120), laws of the Thirty-first General Assembly, relating to the State Sanatorium at Iowa City, further defining the duties of the Board of Control regarding tuberculosis, and making additional appropriations.

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

By Senator Dunham, Senate File No. 255, a bill for an act to repeal Sections Three Hundred and Seventy-three (373), Three Hundred and Seventy-four (374), Three Hundred and Seventy-five (375) and Three Hundred and Seventy-six (376) of the Code, in relation to notaries public and enact substitutes therefor; also to amend Section Sixty-eight of the Code, in relation to the registration of commissions.

Read first and second time and referred to Committee on Retrenchment and Reform.

By Senator Dunham, Senate File No. 256, a bill for an act to transfer the duties, powers and authority granted to or enjoined upon the Auditor of State under the provisions of Chapter Thirty-four (34), acts of the Thirty-first General Assembly, relating to publication of municipal accounts, establishing uniform system of accounts, reports and audits in cities and towns from the Auditor of State to the Secretary of State.

Read first and second time and referred to Committee on Retrenchment and Reform.

By Senator Dunham, Senate File No. 257, a bill for an act to transfer from the Auditor of State to the Treasurer of State all of the powers, duties and responsibility relating to state and savings banks and loan and trust companies.

Read first and second time and referred to Committee on Retrenchment and Reform.

REPORTS OF COMMITTEES.

Senator Newberry, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred House File No. 140, a bill for an act to regulate the conduct of all employment offices or bureaus and provide for the examination of such offices or bureaus, and fixing a penalty for the violation of the provisions 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.

BYRON W. NEWBERRY,
Chairman.

Ordered passed on file.

Senator Newberry, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred House File No. 228, a bill for an act to amend the law as it appears in Section Forty-nine Hundred and 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 do pass.

BYRON W. NEWBERRY,
Chairman.

Ordered passed on file.

Senator Newberry, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 210, a bill for an act to amend the law as it appears in Section Forty-nine Hundred and 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.

BYRON W. NEWBERRY,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Kinne, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 100, a bill for an act to repeal Section Fifteen Hundred and Thirty (1530) of the Code, relative to the levy of taxes for roads and 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 amended as follows:

That Section One (1) be amended by inserting after the figure one (1) and preceding the word "The" in the first line thereof the following: "That Section Fifteen Hundred and Thirty (1530) of the Code is hereby repealed, and the following enacted in lieu thereof:"

Further amend by striking out all of Section Two (2), publication clause.

And when so amended the bill do pass.

GEO. KINNE,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Hopkins, House File No. 283, a bill for an act to legalize the incorporation of the town of Linden, Dallas county, Iowa, the election of its officers, the passage, adoption and record of all of its ordinances, resolutions and rules, 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 Hopkins 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:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

None.

Absent or not voting :

Senators Allen, Dunham, Eckles, Gale, Jamison of Clarke, Maytag, Smith of Mitchell, Stirton, Stuckslager, Whiting—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 Wilson of Fayette, Senate File No. 157, a bill for an act to repeal Section Twenty-five Hundred Ninety-three (2593) of the Code, and to enact a substitute therefor, relating to the practice of pharmacy, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Wilson of Fayette moved the adoption of the following committee amendment :

Strike out the words "when sold in original packages" as they appear in lines twenty-nine and thirty of Section One (1) of the bill.

Adopted.

Senator Wilson of Fayette moved the adoption of the following committee amendment :

Strike out the period after the word "dentists" in line thirty-one of the bill, substituting a semicolon therefor, and by adding to said line the following: "provided, however, that nothing herein contained shall be construed to permit or authorize the sale of any of the poisons herein named where the sale thereof is otherwise prohibited or regulated by law".

Adopted.

The bill as amended was read for information.

Senator Wilson of Fayette moved that the rule be suspended, 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, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McIlveen, McManus, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were :

None.

Absent or not voting :

Senators Allen, Gale, Gilliland, Maytag, Stirton, Stuckslager, Whiting—7.

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

The hour having arrived, Senate File No. 50, a bill for an act regulating the election or appointment of the directors or other persons by whom the affairs of corporations organized on the stock plan for transacting the business of life or fire insurance companies are to be conducted, so as to secure proportionate representation to minority stockholders and providing for the election of directors nominated by a minority of the stockholders; additional to Chapters One (1), Four (4), Six (6), Seven (7) and Eight (8) of Title Nine (9) of the Code, was taken up, and considered.

Senator Jones offered the following amendent and moved its adoption :

I move to amend line two of Section One (1) by striking out the words "one-fifth" and inserting in lieu thereof the words "one-fourth".

The amendment was lost.

Senator Mattes moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Taylor, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were :

Senators Dunham, Jamison of Clarke, Warren—3.

Absent or not voting :

Senators Bruce, Gale, McKlveen, Stirton, Stuckslager, Whit-
ing—6.

So the bill having received a constitutional majority was de-
clared 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. 147, a bill for an act to legalize the action of the city
council of LeMars, Iowa, in allowing certain sums of money to the
volunteer fire department of said city; in allowing certain sums of money
to the Grand Army Post and instructor for a band, and in allowing to
the members of the council of said city a sum claimed to be in excess
of that provided by law.

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 to amend the law as it appears
in Sections Eleven Hundred and Thirty-seven-b (1137-b), Eleven Hun-
dred and Thirty-seven-f (1137-f), and Eleven Hundred and Thirty-seven-g
(1137-g) of Chapter Three-a (3-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. 171, a bill for an act to amend Section Thirteen Hun-
dred and Seventy-three (1373) of the Code, relating to the correction of
erroneous assessments.

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. 279, a bill for an act to repeal Section Eleven Hun-
dred and Sixty-four (1164) of the Code, in relation to recording ab-
stracts of votes in the office of the Secretary of State, 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. 280, a bill for an act to fix the place of bringing action against municipal corporations in the State of Iowa in all counties where terms of the District Court are held in more than one place.

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. 275, a bill for an act to prohibit misrepresentations by life insurance 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 House was asked:

Senate File No. 9, a bill for an act entitled "An act to confirm the title of F. C. Lovrein in a strip of land in Section Fifteen (15), Township Ninety-three (93) North, Range Thirty-four (34), West of the Fifth Principal Meridian, lying between the true south boundary line and the meandered south boundary line of Rat Lake in said section, and authorizing the Executive Council to quit claim said strip to him."

C. R. BENEDICT,
Chief Clerk.

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. 294, a bill for an act to legalize the incorporation of the town of Clutier, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such, beg leave to report that they have 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 inserting after the word "town" and before the word "be" in the sixth line thereof, the following words: "of a civil administrative character authorized under the laws of the State, to be done or undertaken by like officers".

That Section One (1) be further amended by striking out all after the word "with" in the ninth line thereof down to and including the word "same" in the fourteenth line thereof, and inserting in lieu thereof the following: "in such cases made and provided".

And when so amended the bill 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. 231, a bill for an act to amend Section Thirty-eight Hundred and Fifty-three (3853) of the Code, relating to the recovery of costs by the successful against the losing party, beg leave to report that they have 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~~ period and quotation marks following the word "trial" at the end thereof, and inserting a comma in lieu thereof, and after said comma, the following: "unless otherwise ordered by the court at the time of entering judgment".

And when so amended the bill 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 House File No. 251, a bill for an act to legalize the incorporation of the town of Bridgewater, Iowa, the election of its officers, the passage of its ordinances and resolutions, and acts done by the city council in the adoption and enforcement of its ordinances and resolutions, beg leave to report that they have 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) of the bill be amended by striking out after the word "ordinances" in the eighth line thereof, the following words: "and in the collection of fines and licenses and taxes levied and collected by said town under, and by virtue of, its said resolutions and ordinances".

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

The time having arrived, substitute for Senate File No. 18, a bill for an act regulating the sale of agricultural seeds, concentrated commercial feeding-stuffs and the materials from which they are manufactured; defining concentrated commercial feeding-stuffs and what shall constitute purity in various kinds of seeds; prohibiting the adulteration and providing for the correct weighing and marking of agricultural seeds and concentrated commercial feeding-stuffs; and providing for the collecting of sample, analysis of the same, and fixing penalties for its violation; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Newberry moved that the committee substitute be substituted for the original bill.

Carried.

The bill was read by sections for amendment.

Senator Newberry offered the following amendment and moved its adoption:

Amend Section Eighteen (18) of the substitute, as it appears in the Journal, by inserting in the fourth line thereof after the word "Sections" the words "ten (10)".

Adopted.

Senator Bruce offered the following amendment and moved its adoption:

Amend by striking out all of Section Two (2).

Senator Jamison of Clarke was called to the chair at 11 o'clock A.M.

The President resumed the chair at 11:40 o'clock A.M.

Further consideration of the bill was deferred until the afternoon session.

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

HOUSE MESSAGES CONSIDERED.

House File No. 147, a bill for an act to legalize the action of the city council of LeMars, Iowa, in allowing certain sums of money to the volunteer fire department of said city; in allowing certain sums of money to the Grand Army Post and instructor for a band, and in allowing to the members of the council of said city a sum claimed to be in excess of that provided by law.

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

House File No. 98, a bill for an act to amend the law as it appears in Sections One Thousand One Hundred and Thirty-seven-b (1137-b), One Thousand One Hundred and Thirty-seven-f (1137-f) and One Thousand One Hundred and Thirty-seven-g (1137-g), of Chapter Three-a (3-a), of the Supplement to the Code.

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

House File No. 171, a bill for an act to amend Section One Thousand Three Hundred and Seventy-three (1373) of the Code, relating to the correction of erroneous assessments.

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

House File No. 279, a bill for an act to repeal Section One Thousand One Hundred and Sixty-four (1164) of the Code, in relation to recording abstracts of votes in the office of the Secretary of State, and to enact a substitute therefor.

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

House File No. 280, a bill for an act to fix the place of bringing action against municipal corporations in the State of Iowa in all counties where terms of the district court are held in more than one place.

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

House File No. 275, a bill for an act to prohibit misrepresentations by life insurance companies.

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

Senate File No. 9, a bill for an act entitled "An act to confirm the title of F. C. Lovrein in a strip of land on Section Fifteen (15), Township Ninety-three (93) North, Range Thirty-four (34) west of the Fifth (5th) principal meridian, lying between the true south boundary line and the meandered south boundary line of Rat Lake in said section, and authorizing the Executive Council to quit claim said strip to him."

Passed on file.

The President declared the Senate adjourned until 1:30 o'clock P.M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P.M., President Garst presiding.

PETITIONS AND MEMORIALS.

Senator Smith of Mitchell presented petition of the Winnebago County Medical Society and citizens of said county favoring the passage of the Newberry Pure Drug Bill.

Referred to Committee on Pharmacy.

Senator Saunders presented petition of constituents asking the establishment at Red Oak, Iowa, of an agricultural and manual training school as a branch of the State College of Agriculture and Mechanic Arts.

Referred to Committee on Appropriations.

Senator Gilliland presented petition of citizens of Grant, Iowa, in support of the measure to establish at Red Oak an agricultural high school; the bill creating an educational commission to revise the school laws of Iowa; and the bill to empower the State Educational Board of Examiners to accept graduation from the regular and collegiate courses of higher institutions of learning.

Referred to Committee on Appropriations.

Senator Dowell presented petition of Des Moines Typographical Union, No. 118, protesting against the proposed measure to abolish the offices of State Printer and State Binder.

Referred to Committee on Printing.

Senator Peterson presented petition of citizens of Webster City favoring the passage of Senate Files No. 31 and 33, and House File No. 45, relating to the manufacture and sale of drugs.

Referred to Committee on Pharmacy.

Senator Dunham presented petition of the Farmers Institute of Manchester, Iowa, urging the passage of a law prohibiting the killing of all game birds for five years.

Referred to Committee on Fish and Game.

President Garst presented petition of citizens of Wyoming and Delmar, Iowa, asking for a favorable consideration of Senate File No. 136, relative to an extension of the exemption period of the Pure Food Law so far as it applies to canned corn and canned peas.

Referred to Committee on Judiciary.

On request of Senator Jamison of Clarke, leave of absence was granted Senator Stookey until Thursday.

INTRODUCTION OF BILLS.

By Senator Allen, Senate File No. 258, a bill for an act to amend Section Five Thousand Seven Hundred and Eight (5708) of the Code, relating to the disposal of stone at Anamosa for the improvement and macadamizing of streets and highways.

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

By Senator Allen, Senate File No. 259, a bill for an act legalizing the ordinances, acts, proceedings and resolutions passed by the town council of Pocahontas, of Pocahontas county, Iowa, and legalizing all the acts, proceedings and resolutions adopted or passed by the said town council in connection with the voting and granting of a franchise to the Havelock Mutual Telephone Company, as set forth in Ordinance No. Forty-one (41) of said town.

WHEREAS, On the 14th day of February, 1906, a petition of sixty-three of the citizens of the incorporated town of Pocahontas, Iowa, as filed with the town clerk of said town, asking that the council of the incorporated town of Pocahontas, Iowa, submit to the qualified voters of said incorporated town at its annual election held on the last Monday in March, 1906, as to whether or not a franchise should be granted to the Havelock Mutual Telephone Company or their successors, the right to extend their lines into said incorporated town and to use the streets and alleys of said town, and to install a central telephone exchange in said town, subject to the regulations of the said town and the ordinances thereof; and,

WHEREAS, The council of said town did, on the 26th day of February, 1906, meet in special session, and did, at such meeting, consider said ordinance, as by law required, and by unanimous vote adopted said ordinance; and,

WHEREAS, Notice of the election for the granting of said franchise was published in two newspapers in said town for four consecutive weeks, as provided by law; and,

WHEREAS, The election for the granting of said franchise was held upon the 26th day of March, 1906, which was the time of holding the general municipal election, and not at the time of a special election, as provided by Section Seven Hundred and Seventy-six (776) of the Code; and,

WHEREAS, One hundred and sixtyseven qualified voters of said town voted in favor of granting said franchise and twenty-six voted against said franchise, the said franchise was declared by the council to have been carried; and,

WHEREAS, Doubts have arisen as to the legality of said ordinance, because of the time and the manner of holding said election; and now, therefore,

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

By Seator Allen, Senate File No. 260, a bill for an act to provide for the meetings of the State Poultry Association, to define and designate the officers thereof, to provide for the organization of District and County Associations, the making of annual reports, and statements of the proceedings of the Association, the printing and distribution of copies of the reports and making annual appropriations therefor.

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

By Senator Bleakly, Senate File No. 261, a bill for an act to amend Senate File No. 22, as passed by the Thirty-second General Assembly February 5, 1907, and approved February 14, 1907, providing for the investment of funds of fraternal beneficiary societies, orders or associations.

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

By Senator Gilliland, Senate File No. 262, a bill for an act to provide for sewer outlets and purifying plants in cities of the second class and towns.

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

By Senator Kinne, Senate File No. 263, a bill for an act to make the county treasurer the custodian of the funds belonging to the school corporations within the county and to abolish the office of school treasurer.

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

REPORTS OF COMMITTEES.

Senator Turner, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House File No. 77, a bill for an act to prohibit the use and sale of toy pistols, firecrackers, dynamite caps and blank cartridges, beg leave to report that they have 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 in Section One (1) by striking out the period at the end of said section and inserting in lieu thereof a semicolon and the following words:

“Provided caps containing dynamite may be used, kept for sale or sold when needed for mininig purposes, or for danger signals, and for other necessary uses”.

And when so amended the bill do pass.

D. W. TURNER,
Chairman.

Ordered passed on file.

Senator Gilliland, 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. 123, a bill for an act to amend Section Forty-nine Hundred and Sixty-nine (4969) of the Code, 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.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

Senator Gilliland, 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. 249, a bill for an act to amend Section Nine Hundred and Fifty-five (955) of the Code, relating to the establishment, erection, purchase, lease, maintenance or operation of certain public utilities, and the granting of franchises for the same, so as to include heating 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.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

Senator Gilliland, 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. 115, a bill for an act to provide for depositing funds of municipal corporations at interest, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

SHIRLEY GILLILLAND,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Gilliland, 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. 232, a bill for an act to regulate and fix the place of bringing action against municipal corporations in the State of Iowa in all counties where terms of the District Court are held in more than one place, beg leave to report that they have 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 "corporations" in the first line of Section One (1) the words "including cities organized under special charter", and when so amended the bill do pass.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

Senator Gilliland, 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. 215, a bill for an act to amend the law as it appears in Sections Six Hundred and Seventy-nine-a (679-a), Six Hundred and Seventy-nine-f (679-f) Six Hundred and Seventy-nine-g (679-g) and Six Hundred and Seventy-nine-h (679-h) of the Supplement to the Code, relating to Board of Police and Fire Commissioners in certain cities of the first class, and providing for the taking effect 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 as follows:

Amend the title by inserting the words "and cities under special charter" after the word "class" in the sixth line thereof.

Amend Section One (1) by adding thereto the following: "and also by inserting after the word 'class' in line two of said section the words 'and cities under special charter of twenty-five thousand (25,000) population'".

Amend Section Three (3) by striking out said section and inserting in lieu thereof the following:

SECTION 3. The law as it appears in Section Six Hundred and Seventy-nine-g (679-g) of the Supplement to the Code is hereby amended so that the same shall read as follows: "The chief of police shall appoint the police force for said city and the chief of the fire department shall appoint the fire force for said city".

Amend Section Five (5) by striking out the period at the end of said section and by adding thereto the following:

"Subject, however, to all rules and regulations adopted for the government of said departments under this act and the provisions of Chapter Thirty-one (31), acts of the Twenty-ninth (29th) General Assembly".

And when so amended the bill do pass.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

Senator Newberry asked unanimous consent to have the further consideration of Senate File No. 18 deferred at this time and that it be made a special order for next Wednesday at 10:30 o'clock A.M.

Consent granted.

REPORT OF COMMITTEE.

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. 223, 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 do pass.

GEO. W. DUNHAM,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

House File No. 111, a bill for an act to define and punish lewd, immoral and lascivious acts and to provide penalty for the same, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Jackson moved the adoption of the following committee amendment:

Amend Section One (1) by striking out the word "sixteen" in the first line thereof, and inserting in lieu thereof the word "eighteen", and by striking out the word "fifteen" in the third line of said section and inserting in lieu thereof the word "thirteen".

Adopted.

Senator Jackson moved the adoption of the following committee amendment:

That Section Two (2) be amended by striking out the word "Daily" in the third line thereof.

Adopted.

The bill as amended was read for information.

Senator Bleakly moved that the vote by which the first committee amendment was adopted be reconsidered.

Senator Saunders moved that further consideration of the bill be deferred at this time.

Carried.

By unanimous consent, on motion of Senator Saunders, House File No. 41, a bill for an act to provide for the payment by counties of a bounty for the destruction of pocket gophers, was taken up and considered.

The bill was read for information.

Senator Dowell moved that the bill be referred to the Committee on Fish and Game.

The motion was lost.

Senator Saunders offered the following amendment and moved its adoption:

Amend by striking out the word "taken" in line four of Section Two (2) of the printed bill and insert the word "caught" in lieu thereof.

Adopted.

Senator Sanders offered the following amendment and moved its adoption:

Strike out the word "taken" in line two of Section One (1) of the original bill and insert the word "caught" in lieu thereof.

Also strike out the word "taken" in line four, Section Three (3), of the original bill and insert the word "caught" in lieu thereof.

Adopted.

Senator Gilliland offered the following amendment and moved its adoption:

Strike out the word "taken" and insert the word "caught" in the ninth line of Section Two (2) of the original bill.

Adopted.

Senator Saunders offered the following amendment and moved its adoption:

Amend by striking out the word "taken" in line five of Section Two (2) of the original bill and insert the word "caught" in lieu thereof.

Adopted.

Senator Turner offered the following amendment and moved its adoption:

Strike out all of Section Four (4).

The amendment was lost.

Senator Dunham offered the following amendment and moved its adoption:

Amend Section Three (3) by striking out all of Section after the word "presented" in the fifth line thereof.

Adopted.

Senator Saunders moved the adoption of the following amendment:

Strike out the word "taking" in line one of Section Two (2) of the printed bill and insert in lieu thereof the word "catching".

Adopted.

The bill as amended was read for information.

Senator Saunders moved that the reading just had been considered its third reading and the bill put upon its passage, which motion prevailed.

On the question, "Shall the bill pass?"

The yeas were :

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, De-Armand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were :

None.

Absent or not voting :

Senators Gale, Hopkins, Jones, Stirton, Stookey, Stuckslager, Taylor, Whitney—8.

Senator Saunders offered the following amendment to the title of the bill and moved its adoption :

Amend the title of the bill to read as follows :

A bill for an act to provide for the payment of a bounty for the destruction of pocket gophers and authorizing the levy of a tax therefor.

Adopted.

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. 217, a bill for an act to amend the law as it appears in Section One Hundred and Sixty-eight (168), providing for furnishing the Educational Board of Examiners with supplies and printing and for the payment of the expenses of the Educational Board of Examiners.

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 the following bill, in which the concurrence of the House was asked :

House File No. 220, a bill for an act to repeal Sections Twenty Hundred and Seventy-six (2076) and Twenty Hundred and Seventy-seven (2077) of the Code, and to enact substitutes therefor, relative to classification of railroad and passenger transportation charges thereby.

C. R. BENEDICT,
Chief Clerk.

Senator Peterson moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9:30 o'clock A.M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, FEBRUARY 28, A D. 1907.

Senate met in regular session at 9:30 o'clock A.M., President Garst presiding.

Prayer was offered by the Rev. Geo. H. Wareham of Lake View, Iowa.

PETITIONS AND MEMORIALS.

Senator Peterson presented petition of citizens of Eldora and vicinity protesting against the passage of the McManus bill relative to shipping of liquors in this State.

Referred to Committee on Suppression of Intemperance.

Senator Allen presented petition of shippers and feeders of live stock in Humboldt county favoring the passage of House File No. 52, known as the Doran bill.

Referred to Committee on Railroads.

Senator Dowell presented petition of United Brotherhood of Carpenters and Joiners of America, located at Des Moines, favoring the Galveston plan of city government, and protesting against the plan as proposed in the bill now pending before the Legislature.

Referred to Committee on Cities and Towns.

On request of Senator Ericson, leave of absence was granted Senator Newberry for the day.

On request of Senator Crossley, leave of absence was granted Senator Wilson of Clinton for the day.

On request of Senator Maytag, leave of absence was granted Senator Allen for the day.

On request of Senator Elerick, leave of absence was granted Senator Gale for the day.

On request of Senator Foley, leave of absence was granted Senator Frudden for the day.

On request of Senator Kimmel, leave of absence was granted Senator Wade for the day.

INTRODUCTION OF BILLS.

By Senator Kinne, Senate File No. 264, a bill for an act making an appropriation for the construction of a dam and fish-way at the outlet of Silver Lake, Dickinson county, Iowa.

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

By Senator Maytag, Senate File No. 265, a bill for an act to amend the law as it appears in Section Two (2), Chapter One Hundred and Forty (140), laws of the Thirty-first General Assembly, relating to the funding of school district bonds.

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

By Senator Taylor, Senate File No. 266, a bill for an act making an appropriation for the erection of a monument at the Drakesville cemetery, Davis county, Iowa, to perpetuate the memory of Isaac Mason, a soldier of the Revolutionary war, and providing for the method of such erection.

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

By Senator Dowell, Senate File No. 267, a bill for an act to permit fraternal beneficiary societies, orders or associations to acquire and own real estate for their own use.

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

By Senator Dunham, Senate File No. 268, a bill for an act to indemnify D. H. Fiester for personal injury sustained by him while employed at the Hospital for the Insane at Independence, Iowa.

Read first and second time and referred to Committee on Claims, and to be referred to the Committee on Appropriations later.

By Senator Kinne, Senate File No. 269, a bill for an act to establish four agricultural, manual training and domestic science

school districts, and to establish schools therein, and to make an appropriation therefor.

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

HOUSE MESSAGES CONSIDERED.

House concurred in Senate amendments to House File No. 220, a bill for an act to repeal Sections Two Thousand and Seventy-six (2076) and Two Thousand and Seventy-seven (2077) of the Code and to enact substitutes therefor, relative to classification of railroads and passenger transportation charges thereby.

Passed on file.

House File No. 217, a bill for an act to amend the law as it appears in Section One Hundred and Sixty-eight (168), providing for furnishing the Educational Board of Examiners with supplies and printing and for the payment of the expenses of the Educational Board of Examiners.

Read first and second time and referred to Committee on Schools, to be referred to Committee on Appropriations later.

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. 196, a bill for an act to regulate the sale or disposal of stocks of goods, wares or 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 Turner, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate File No. 45, a bill for an act to amend the law as it appears in Section Twenty-two Hundred and Eleven (2211) of the Supplement to the Code, and to amend Section Twelve (12) of Chapter Seventy-seven (77) of the Acts of the Thirtieth General Assembly, and Section Eighteen (18) of Chapter Ninety-one (91) of the Acts of the Thirty-first General Assembly, and to enact a substitute therefor, and to provide for stoppage

of compensation due officers and men of the Iowa National Guard for loss or damage of property issued them by the State for military 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 referred to the Appropriations Committee.

D. W. TURNER,

Chairman.

So the bill was referred to the Committee on Appropriations.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 245, a bill for an act directing the Custodian of Public Buildings and Property to prepare a case for the reception of flags carried by Iowa regiments during the Spanish-American war, 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 do pass.

F. L. MAYTAG,

Chairman.

Ordered passed on file.

Senator Bleakly, 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. 190, a bill for an act to amend Section Four Hundred and Sixty-nine (469) of the Code, relative to the compensation of supervisors when doing committee work, beg leave to report that they have 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 matter is contained in a bill which recently passed this body.

JOHN L. BLEAKLY,

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 Senate File No. 207, a bill for an act to empower the State Educational Board of Examiners to issue State certificates and State diplomas to graduates of higher institutions of learning, beg leave to report that they have 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 One (1) and adopting the following in lieu thereof:

SECTION 1. That the State Educational Board of Examiners may accept graduation from the regular and collegiate courses in the State University, State Normal Schools, and the State College of Agriculture and Mechanic Arts, and from other institutions of higher learning in the State having regular and collegiate courses of equal rank, as evidence that a teacher possesses the scholarship and professional fitness for a State certificate.

That said bill be further amended by striking out the word "quantity", appearing in the second line of Section Two (2), and substituting therefor the word "extent". And further amend said section by inserting after the word "of" in the third line of said section the words "the Supplement to"; and by striking out the word "three" in the sixth line, and inserting in lieu thereof the word "five".

That Section Three (3) of said bill be amended by striking out the word "three", appearing in the first line, and inserting in lieu thereof the word "five". And by striking out the word "countersign", in the third and fourth lines of said section, and inserting therefor the word "renew"; and by striking out all of said section after the word "certificate", in the fourth line thereof; and by striking out the word "two", in the second line of Section Three (3), and substituting therefor the word "three".

And when so amended the same do pass.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 37, a bill for an act amendatory to the law as it appears in Chapter Sixty-eight (68) of the Thirtieth General Assembly, and amendatory Acts of the Thirty-first General Assembly, relating to levees, ditches, drains and watercourses, and amending Sections Two (2), Thirteen (13), Fourteen (14), and repealing Sections Eighteen (18) and Nineteen (19) of said chapters, and enacting a substitute for said repealed sections, beg leave to report that they have 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. 37.

A BILL for an act amendatory of the law as it appears in Chapter Sixty-eight (68) of the Thirtieth General Assembly and amendatory Acts of the Thirty-first General Assembly, relating to levees, ditches, drains and watercourses, and amending Sections Two (2), Fourteen (14), Eighteen (18) and Nineteen (19) of said chapter, and providing for the place where ditches and drains shall be located; how appeals shall be tried in appellate courts; for the employment of counsel to represent the drainage district in appellate courts; for the crossing of railroad rights of way; for the building of culverts and bridges at the place of crossing and payment of the cost thereof; for the assessment of bene-

fits, and making the provisions of this act applicable to Chapter Two (2), Title Ten (10) of the Code.

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, as amended by Acts of the Thirty-first General Assembly be, and the same is hereby amended, by adding to said section, at the end thereof, the following:

"That the ditches or drains herein provided for shall be surveyed and located along the general course of the natural streams and watercourses or in the general course of natural drainage of the lands of said district, having due regard for straightening and shortening of such natural streams, watercourses and course of natural drainage. Whenever any such ditch or drain crosses any railroad right of way, it shall be located at the place of the natural water way across such right of way, unless said railroad company shall have provided another place in the construction of the road bed for the flow of the water; and if located at the place provided by the railroad company, such company shall be estopped from afterwards objecting to such location on the ground that it is not at the place of the natural water way".

SEC. 2. That Section Fourteen (14) of said chapter be, and the same is hereby amended, by inserting after the word "damages" and before the word "The", in the fourth line of said section, the following:

"The appeal herein provided for shall be tried in the District Court as an action in equity and the appearance term shall be the trial term; and when several appeals are taken and pending in the District Court by land owners of the same drainage district whose lands have been assessed by the Board, the court may, in its discretion, order the consolidation of such cases, and try the same as one cause of action. When any appeal is taken from any order of the Board made in any drainage proceeding coming before it for action, it shall be the duty of the Board to employ counsel to represent the interests of the drainage district affected by said appeal on the trial thereof in the appellate courts and the expense thereof shall be paid out of the drainage fund in such district".

SEC. 3. That Sections Eighteen (18) and Nineteen (19) of said chapter be amended to read as follows:

"Whenever the Board of Supervisors shall have established any levee, or drainage district, or change of any natural watercourse, and the levee, ditch, drain, or watercourse, as surveyed and located, crosses the right of way of any railroad company, the County Auditor shall immediately cause to be served upon such railroad company, in the manner provided for the service of original notices, a notice in writing stating the nature of the improvement to be constructed, the place where it will cross the right of way of such company, and the full requirements for its complete construction across such right of way as shown by the plans, specifications, plat and profile of the engineer appointed by the Board, and directing such company to construct such improvement according to said plans and specifications at the place designated, across its right of way, and to build and construct or re-build and re-construct the necessary culvert or bridge where any ditch, drain or watercourse crosses its right of way, so as not to obstruct, impede or interfere with

the free flow of the water therein, within thirty days from the time of the service of such notice upon it; and upon receiving said notice it shall be the duty of such railroad company to construct the improvement across its right of way according to the plans and specifications furnished in said notice and to build and construct or re-build and re-construct the necessary culvert or bridge above mentioned and complete the same within the time specified in said notice; if such railroad company shall fail, neglect or refuse to do so within the time fixed in said notice, the Auditor shall cause the same to be done under the supervision of the engineer in charge of the improvement and such railroad company shall be liable for the cost thereof, to be collected by the county in any court having jurisdiction; and the cost of constructing the improvement across the right of way of such company, not including the cost of building and constructing or re-building and re-constructing any necessary culvert or bridge, shall be considered as an element of such company's damages by the appraisers thereof; and the cost of building and constructing or re-building and re-constructing any necessary culvert or bridge shall be borne by such railroad company without reimbursement therefor. The commissioners to assess benefits shall fix and determine the benefits to the property of the railroad company within the levee or drainage district and make return thereof with their regular return. Such special assessment shall be a debt due personally from the railroad company, and unless the same is paid by the railroad company as special assessment, it may be collected in the name of the county in any court having jurisdiction".

SEC. 4. That the measure of damages for locating, establishing and constructing a levee, ditch, drain, or watercourse across the right of way of any railroad company provided for in Section Three (3) of this act shall be construed to apply to all cases and proceedings now pending involving such question; and the provisions of this act shall also be applicable to Chapter Two (2), Title Ten (10) of the Code.

SEC. 5. 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 Capital, newspapers published in the city of Des Moines, Iowa.

And when so amended the bill do pass.

JAS. E. BRUCE,
Chairman.

Adopted.

The substitute was read first and second time and passed on file.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 230, a bill for an act to require a stamp on every ball of binder twine sold, exposed, or offered for sale within this State, and providing 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 be amended by adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 230.

A BILL for an act to require a stamp or label on every ball of binder twine sold, exposed, or offered for sale within this State, and providing a penalty for the violation thereof.

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

SECTION 1. No binder twine shall be sold, exposed, or offered for sale within this State, except the same bears upon each ball a stamp or label truly stating the name of the manufacturer or importer and the number of feet to the pound in such ball; provided, that a deficiency not exceeding five per cent in length stated on the stamp or label shall not be a violation hereof.

SEC. 2. Any person, firm or corporation who violates the provisions of Section One (1) hereof shall be guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred dollars (\$100.00).

SEC. 3. This act shall take effect on September first, Nineteen Hundred and Seven (1907).

And when so amended the bill do pass.

JAS. E. BRUCE,
Chairman.

Adopted.

The substitute was read first and second time and passed on file.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 105, a bill for an act to prohibit combination among grain elevator men and to prohibit any person, company, partnership, association or corporation engaged in the business of grain dealing or owning or operating grain elevators, 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 by adopting the following substitute for the title; title to read as follows:

A BILL for an act to prohibit any person, company, partnership, association, or corporation, engaged in the business of grain dealing, or owning or operating grain elevators, from combining or entering into any agreement, contract, trust, or pool to fix the prices to be paid for grain, or to prevent the free action of competition in the buying of grain, or the selling of grain, and to provide punishment for the violation of this act.

Also, Section One (1) of the bill be amended by striking out all of Section One (1) and by substituting therefor the following, to-wit:

"SECTION 1. That it shall be unlawful for any person, company, partnership, association, or corporation owning or operating any grain elevator or engaged in the business of buying, selling, handling, consigning, or transporting grain, to enter into any agreement, contract, or combination with any other grain dealer, or grain dealers, partnership, company,

corporation, or association of grain dealers, whether within or without the State, engaged in like business, for the fixing of prices to be paid for grain by different dealers or buyers; or to divide between said dealers the aggregate or net proceeds of the earnings of such dealers and buyers, or any portion thereof; or to form, enter into, maintain, or contribute money or anything of value to any trust, pool, combination, or association of persons of whatsoever character or name, which has for any of its objects the prevention of full and free competition among buyers, sellers, or dealers in grain; or to do or permit to be done by his or their authority any act or thing whereby the free action of competition in the buying or selling of grain is restrained or prevented."

Also, that Section Thre (3) of the bill be amended by striking out all the words between the period following the word "court" in the 11th line of said Section to and including the period following the word "recovered" in the 16th line of said Section.

And when so amended the bill do pass.

JAS. E. BRUCE,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 131, a bill for an act to amend Section Four Hundred and Twenty-two (422) of the Code, relative to the power of Boards of Supervisors, and granting additional powers.

Also:

House File No. 179, a bill for an act to amend Chapter One Hundred and Eighty-six (186) of the laws of the Thirtieth General Assembly, relating to meandered lake beds, and enlarging the meaning of "a bona fide purchaser", under Section Seven (7) of said act.

Also:

House File No. 211, a bill for an act to legalize the making of certain plats made by the County Auditors of Iowa, or by the County Surveyor for the owner, 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.

Also:

House File No. 220, a bill for an act to repeal Sections Two Thousand Seventy-six (2076) and Two Thousand Seventy-seven (2077) of the Code, and to enact substitutes therefor, relative to classification of railroads and passenger transportation charges thereby.

Also:

House File No. 245, a bill for an act to legalize the incorporation of the town of Granger, Dallas county, Iowa, the election of its officers, the passage of all its ordinances and resolutions, and all acts done by the town council of said town.

Also:

House File No. 283, a bill for an act to legalize the incorporation of the town of Linden, Dallas county, Iowa, the election of its officers, the passage, adoption and record of all of its ordinances, resolutions and rules, and all acts done by the council of said town.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

Senator Crossley was called to the chair at 9:50 o'clock.

Senator Bleakly asked unanimous consent to withdraw his motion to reconsider the vote by which the committee amendment to House File No. 111 was adopted.

Consent granted.

Senator Dunham filed the following motion to reconsider:

I move to reconsider the vote by which House File No. 41 passed the Senate February 27th.

GEO. W. DUNHAM,

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Jackson, Senate File No. 215, a bill for an act to amend the law as it appears in Sections Six Hundred and Seventy-nine-a (679-a), Six Hundred and Seventy-nine-f (679-f), Six Hundred and Seventy-nine-g (679-g) and Six Hundred and Seventy-nine-h (679-h) of the Supplement to the Code, relating to Board of Police and Fire Commissioners in certain cities of the first class, and providing for the taking effect thereof, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Jackson moved the adoption of the following committee amendment:

Amend the title by inserting the words "and cities under special charter" after the word "class" in the sixth line thereof.

Adopted.

Senator Jackson moved the adoption of the following committee amendment:

Amend Section One (1) by adding thereto the following: "and also by inserting after the word 'class' in line two of said section the words 'and cities under special charter of twenty-five thousand (25,000) population'".

Adopted.

Senator Jackson moved the adoption of the following committee amendment:

Amend Section Three (3) by striking out said section and inserting in lieu thereof the following:

SEC. 3. The law as it appears in Section Six Hundred and Seventy-nine-g (679-g) of the Supplement to the Code is hereby amended so that the same shall read as follows: "The chief of police shall appoint the police force for said city and the chief of the fire department shall appoint the fire force for said city".

Adopted.

Senator Saunders moved that the vote by which the committee amendment to Section One (1) was adopted be reconsidered.

Carried.

President Garst resumed the chair at 10:10 o'clock.

Senator Saunders offered the following amendment as a substitute for the committee amendment and moved its adoption:

And the law as it appears in Section Six Hundred and Seventy-nine-A (679-A) of the Supplement to the Code is hereby amended by inserting after the word "class", in line two of said Section Six Hundred and Seventy-nine-A (679-A) of the Supplement to the Code the words "and cities under special charter".

Adopted.

Senator Jackson moved the adoption of the following committee amendment:

Amend Section Five (5) by striking out the period at the end of said section and by inserting thereto the following: "subject, however, to all rules and regulations adopted for the government of said departments under this act and the provisions of Chapter Thirty-one (31), Acts of the Twenty-ninth General Assembly".

Adopted.

Senator Jones moved that the bill be re-referred to the Committee on Cities and Towns.

The motion was lost.

Senator Saunders offered the following amendment and moved its adoption:

Amend Section Five (5) of the bill by striking out the word "section" in line two of the printed bill and insert in lieu thereof the word "Act".

Adopted.

Senator Saunders asked unanimous consent that the further consideration of this bill be deferred at this time and that the bill retain its place on the Calendar.

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 Senate is asked:

House File No. 263, a bill for an act to amend Section Twenty-one Hundred and Fifty (2150) of the Code, relating to the transportation of pupils, students and instructors to and from 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 Senate is asked:

House File No. 524, a bill for an act to repeal Chapter Ninety-eight (98), Acts of the Thirty-first General Assembly, and to enact a substitute therefor, relative to the registration and publication of pedigrees.

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. 158, a bill for an act making an additional appropriation to pay the remainder of the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, the Iowa Vicksburg Park Monument Commission, and the Iowa Andersonville Prison Monument Commission, upon their joint visit to dedicate the monuments erected by the State of Iowa upon southern battlefields and at Andersonville.

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. 220, a bill for an act making an appropriation for the benefit of the State Hospital at Mount Pleasant.

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 provide for the consolidation and change of boundaries of school districts in certain cities of the first class, and other purposes incident thereto.

C. R. BENEDICT,
Chief Clerk.

Senator Gilliland asked unanimous consent to withdraw Senate File No. 116.

Consent granted.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Jackson, House File No. 164, a bill for an act to amend Section Seven Hundred (700) of the Supplement to the Code, relating to the licensing and regulation of keepers of intelligence or employment offices, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Jackson moved the adoption of the following committee amendment:

Amend by placing before the word "that" in the first line, following the enacting clause, the word and figure "Sec. 1".

Also by striking from the word "employments" in the sixth line of the bill the letter "s".

Adopted.

The bill as amended was read for information.

Senator Jackson 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:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericsen, Foley, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag,

Moon, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Turner, Whipple, Wilson of Fayette, Young—36.

The nays were:

None.

Absent or not voting:

Senators Allen, Frudden, Gale, McManus, Newberry, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whiting, Wilson of Clinton—14.

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

On motion of Senator Ericson, Senate File No. 228, a bill for an act authorizing the board of trustees of free public libraries to unite with any local county historical association for the preservation and protection of articles of a historical or educational nature gathered by such association and to expend money for the proper care of such collection, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ericson moved that the rule be suspended, 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, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dunham, Eckles, Ericson, Foley, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Whipple, Wilson of Fayette, Young—33.

The nays were:

None.

Absent or not voting:

Senators Allen, Dowell, Elerick, Frudden, Gale, McManus, Newberry, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Clinton—17.

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 Jackson, House File No. 111, a bill for an act to define and punish lewd, immoral and lascivious acts, and to provide penalty for the same, was taken up and considered.

The bill was read for information.

Senator Jackson moved that the rule be suspended, the reading just had be considered its third reading, and the bill placed on its passage.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Lambert, McKlveen, Mattes, Maytag, Moon, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Whipple, Wilson of Fayette, Young—33.

The nays were:

None.

Absent or not voting:

Senators Allen, Frudden, Gale, Jamieson of Page, Kinne, McManus, Newberry, Smith of Des Moines, Stirton, Stookey, Stucklager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Clinton—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 Peterson, leave of absence was granted Senator Kimmel for the day.

By unanimous consent, on motion of Senator Bleakly, House File No. 47, a bill for an act regulating disbursements of domestic life insurance companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Dowell offered the following amendment and moved its adoption:

I move to amend by adding after the word "affidavit" in the sixth line of Section One (1) the following: "of some officer or agent of said company".

Adopted.

Senator Bruce moved that the Senate do now adjourn.

The motion was lost.

Senator Dowell moved to amend the bill by striking out Section Two (2).

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kinne, Lambert, McKlveen, Mattes, Maytag, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Warren, Whipple, Wilson of Fayette, Young—32.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, Frudden, Gale, Hopkins, Kimmel, McManus, Moon, Newberry, Stirton, Smith of Des Moines, Stookey, Stuckslager, Taylor, Turner, Wade, Whiting, Wilson of Clinton—18.

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. 131, 179, 211, 220, 283 and 245.

HOUSE MESSAGES CONSIDERED.

House File No. 263, a bill for an act to amend Section Two Thousand One Hundred and Fifty (2150) of the Code, relating to the transportation of pupils, students and instructors to and from schools.

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

House File No. 324, a bill for an act to repeal Chapter Ninety-eight (98), acts of the Thirty-first General Assembly, and to enact a substitute therefor, relative to the registration and publication of pedigrees.

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

Senate File No. 158, a bill for an act making an additional appropriation to pay the remainder of the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, the Iowa Vicksburg Park Monument Commission, and the Iowa Andersonville Prison Monument Commission, upon their joint visit to dedicate the monuments erected by the State of Iowa upon southern battlefields and at Andersonville.

Passed on file.

Senate File No. 220, a bill for an act making an appropriation for the benefit of the State Hospital at Mount Pleasant.

Passed on file.

Senate File No. 82, 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.

Passed on file.

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

Senator Jamison of Clarke moved that the Senate do now adjourn.

Carried.

Senate adjourned until Tuesday, March 5, at 10 o'clock A.M.

JOURNAL OF THE SENATE

SENATE CHAMBER.

DES MOINES, IOWA, TUESDAY, MARCH 5, A. D. 1907.

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

Prayer was offered by the Rev. George E. Mankman of Pella, Iowa.

On request of Senator Smith of Mitchell, leave of absence was granted Senator Ericson until tomorrow.

On request of Senator Crossley, leave of absence was granted Senator Saunders until tomorrow.

On request of Senator Smith of Des Moines, leave of absence was granted Senator Wade until tomorrow.

On request of Senator Smith of Des Moines, leave of absence was granted Senator Newberry until Thursday.

On request of Senator Smith of Mitchell, leave of absence was granted Senator McManus until tomorrow.

On request of Senator Elerick, leave of absence was granted Senator DeWolf until tomorrow.

On request of Senator Smith of Mitchell, leave of absence was granted Senator Kimmel until tomorrow.

On request of Senator Kinne, leave of absence was granted Senator Eckles until tomorrow.

On request of Senator Elerick, leave of absence was granted Senator Burgess until tomorrow.

On request of Senator Smith of Des Moines, leave of absence was granted Senator Stirton until tomorrow.

On request of Senator Crossley, leave of absence was granted Senator Wilson of Clinton until tomorrow.

PETITIONS AND MEMORIALS.

Senator Young presented petition of school teachers of Pomeroy favoring the passage of House File No. 260 and Senate File No. 207 relative to teachers' certificates and fees for same.

Referred to Committee on Schools.

Senator Dunham presented petitions of numerous voters and non-voters asking for such legislation as is necessary to submit to the voters of Iowa the proposition to amend the constitution so as to prohibit the manufacture or sale of intoxicating liquors.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Kinne presented remonstrance of citizens of Spencer, Iowa, against the proposed law known as the McManus Bill.

Referred to Committee on Suppression of Intemperance.

Senator DeArmand presented petition of citizens of Princeton, Iowa, protesting against the passage of the McManus Bill, relating to the shipment of liquors in this State.

Referred to Committee on Suppression of Intemperance.

Senator Moon presented petition of residents of Wapello county protesting against the passage of House File No. 76 by Blackmore, and House File No. 82 by Greenwood.

Referred to Committee on Judiciary.

Senator Maytag presented petition of stock raisers and shippers of Jasper county favoring the passage of the Doran Bill, relating to speed of stock trains.

Referred to Committee on Railroads.

Senator Smith of Mitchell presented petition of citizens of Mitchell county favoring the bill to create an educational commission to revise the school laws; also the bill to empower the State Educational Board of Examiners to validate state certificates and diplomas issued in other states, and accept graduation from higher institutions of learning; also the bill to increase the State support for normal institutes to \$200 per county, and the repeal of the law requiring a registration fee from teachers.

Referred to Committee on Schools.

Senator Mattes presented petition of teachers of Dedham and vicinity favoring the measure known as the Harvey Bill.

Referred to Committee on Schools.

Senator Jones presented petition of constituents asking the passage of a law requiring hunters to pay a license of \$1.00 per year.

Referred to Committee on Fish and Game.

Senator Jackson presented petition of constituents favoring the passage of Senate File No. 15 relative to the establishment of a State Insurance Department and an Insurance Commissioner.

Referred to Committee on Insurance.

Senator Warren presented petition of teachers of Pella, Iowa, favoring the passage of the measure allowing \$200 to each county for normal institute work, and providing that teachers may attend the institute without the payment of fees.

Referred to Committee on Schools.

Senator McKlveen presented petition of educators of Lucas county favoring the Harvey Bill to allow \$200 to each county for normal work and providing that teachers may attend the institutes without the payment of fees.

Referred to Committee on Schools.

Senator Frudden presented petition of citizens of Dubuque favoring the measure providing for the establishment of a State Insurance Department and an Insurance Commissioner.

Referred to Committee on Insurance.

Senator Frudden presented petition of citizens representing the Dubuque Woman's Club favoring the passage of the proposed Pure Drug Bill as a substitute for Senate Files No. 31 and 33 and House File No. 45.

Referred to Committee on Pharmacy.

Senator Frudden presented petition of constituents favoring the passage of the proposed measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Kinne presented petition of citizens of Spirit Lake favoring the enactment of the proposed laws allowing each county

\$200 for institute work; removing the fee charged teachers for registering certificates, and the revision of the school laws.

Referred to Committee on Schools.

INTRODUCTION OF BILLS.

By Senator Mattes, Senate File No. 270, a bill for an act to repeal Sections Two Thousand One Hundred and Sixty-five (2165) and Two Thousand One Hundred and Sixty-six (2166) of the Code and enacting a substitute therefor, pertaining to express companies.

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

By Senator DeArmand, Senate File No. 271, a bill for an act to amend Section Two (2), Chapter One Hundred and Forty (140), laws of the Thirty-first General Assembly, relating to the issuing of school funding bonds.

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

By Senator Dunham, Senate File No. 272, a bill for an act additional to and amendatory of the law as it appears in Title Fourteen (14) of the Code, relative to rights of property and the conveyance thereof.

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

By Senator Turner, Senate File No. 273, a bill for an act to repeal Section One Thousand Five Hundred and Thirty-three (1533) of the Supplement to the Code, and Chapter Fifty-seven (57) of the acts of the Thirty-first General Assembly, and enact a substitute therefor, relating to the duties of township trustees.

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

Senator Stookey offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the Thirty-second General Assembly do adjourn sine die on Friday, March 29, 1907, at 12 o'clock noon.

Laid over under the rules.

REPORTS OF COMMITTEES.

Senator Smith of Mitchell, 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 to amend the law as it appears in Section One Thousand Six Hundred and Ten (1610) of the Supplement to the Code, relating to “Articles of incorporation and incorporation fees,” beg to leave to report that they have 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.

Senator Smith of Mitchell, 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. 152, a bill for an act to repeal Sections Twenty-eight Hundred and Fifty-five (2855) of the Code Supplement and Twenty-eight Hundred and Nine (2809) of the Code and to enact substitutes therefor, and to amend Sections Twenty-eight Hundred and Eight (2808) of the Code Supplement and Twenty-eight Hundred and Fifty (2850) of the Code, relating to the handling of the principal and interest of the permanent school fund, beg to leave to report that they have 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 all of Section One (1) after the word “thereof” in the fourth line of said section and substituting the following in lieu thereof:

When lands have been bid in by the county for the State under foreclosure of school fund mortgages and the time for redemption has expired a sheriff's deed shall be issued to the State for the use and benefit of the permanent school fund. The County Auditor shall thereupon notify the Auditor of State, who shall give the county credit for the amount of principal in the original notes remaining unpaid. All lands hereafter acquired by the State under foreclosure proceedings shall be re-sold within two years from date of foreclosure and all such lands heretofore acquired shall be re-sold on or before January 1, 1909. Such lands shall be appraised, advertised, and sold in the manner provided for the appraisal, advertisement, and sale of the sixteenth section or lands selected in lieu thereof. When a re-sale is made the County Auditor shall notify the Auditor of State, who shall thereupon charge the county with the full amount of the re-sale, except that when the lands are sold for more than the unpaid portion of the principal, the excess shall be applied to reimburse the county for the costs of foreclosure and the interest paid by the county to the State by reason of default of payment of same by the makers of the notes, previous to the time when the right of redemption

has expired, not, however, to exceed three years. Any excess over and above the amount of the unpaid portion of the principal, costs of foreclosure, and interest on the principal as above provided, shall inure to the State and be credited to the permanent school fund account. If the lands shall be sold for a less amount than the unpaid portion of the principal, the loss shall be sustained by the county and the Board of Supervisors shall at once order the amount of such loss transferred from the general fund of the county to the permanent school fund account. County Auditors shall, on or before the first day of January of each year, report to the Auditor of State the amount of all sales and re-sales made during the year previous, of the sixteenth section, five hundred thousand acres grant, escheat estates, and lands taken under foreclosure of school fund mortgages, and the Auditor of State shall charge the same to the counties with interest from the date of such sale or re-sale to January first, at the rate of four and one-half ($4\frac{1}{2}$) per cent. per annum. The Auditor of State shall, also, on the first day of January, charge to each county having permanent school funds under its control, interest thereon at the rate of four and one-half ($4\frac{1}{2}$) per cent. per annum for the preceding year, or such part thereof as such funds shall have been in the control of the county, which shall be taken as the whole amount of interest due from each county. All interest collected above the four and one-half ($4\frac{1}{2}$) per cent. charged by the State shall be transferred to the general county fund. If any county fails or refuses to collect the amount of interest due the State, the deficiency shall be paid to the State from the general county fund. Any county delinquent in the payment of interest due the State shall be charged one (1) per cent. per month on the amount delinquent until paid. County Auditors shall, upon the first day of January of each year, report to the Auditor of State the amount of rents collected during the preceding year on unsold school lands and lands taken under foreclosure of school fund mortgages then in the hands of the County Treasurer, and the Auditor of State shall include the amount so reported in his semi-annual apportionment of interest.

And when so amended the bill do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 84, 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, 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.

F. L. MAYTAG,
Chairman.

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 relating to the capital stock of 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 adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 42.

A BILL for an act relating to the capital stock of insurance companies, providing the conditions under which such companies shall operate upon the stock plan, prohibiting the advertising of an authorized capital, and providing penalties for the violation hereof.

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

SECTION 1. From and after the taking effect of this act, no insurance company shall be incorporated to transact business upon the stock plan, whether life insurance or insurance other than life, with less than One Hundred Thousand Dollars (\$100,000) capital, the entire amount of which shall be fully paid up in cash and invested as provided by law. No part of the capital referred to shall be loaned to any officer or stockholder of the company.

SEC. 2. The certificate of authority of any company heretofore organized and transacting business upon the stock plan, shall not be renewed after January 1, 1909, unless said company shall have at said time at least Fifty Thousand Dollars (\$50,000) of capital stock paid up in cash and invested according to law, nor after January 1, 1911, unless said company shall have at said time at least Seventy-five Thousand Dollars (\$75,000) of capital stock paid up in cash and invested as provided by law, nor after January 1, 1913, unless said company shall have at said time at least One Hundred Thousand Dollars (\$100,000) of capital stock paid up in cash and invested according to law.

SEC. 3. No insurance company shall, after the taking effect of this act, be permitted to advertise or publish an authorized capital, or to represent in any manner itself as possessed of any greater capital than that actually paid up and invested as above provided.

SEC. 4. Any person, firm, or corporation violating any of the provisions of this act, or failing to comply with any of its provisions, shall be subjected to the penalties provided in Section Four (4) of Chapter Fifty-six (56), acts of the Thirtieth General Assembly.

And when so amended the bill do pass.

W. P. WHIPPLE,
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 House File No. 48, a bill for an act to provide a method whereby assessment life associations may re-incorporate as legal reserve 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 adding thereto the following:

SEC. 4. This act, being deemed of immediate importance, shall take effect from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa.

And when so amended the bill do pass.

W. P. WHIPPLE,
Chairman.

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. 12, a bill for an act to provide a method whereby assessment life associations may re-incorporate as legal reserve 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 indefinitely postponed for the reason that it is identical with House File No. 48, herewith recommended for passage.

W. P. WHIPPLE,
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 passed the following concurrent resolution, in which the concurrence of the Senate is asked:

HOUSE CONCURRENT RESOLUTION.

Relative to publishing ten thousand copies each of the annual report of the Iowa State Highway Commission, for the years ending July 1, 1906, and July 1, 1907.

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 said reports contain 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 ten thousand copies of each of said annual reports, for the year ending July 1st, 1906,

and for the year ending July 1st, 1907, 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 concurred in Senate substitute amendment to the following bill, in which the concurrence of the House was asked:

House File No. 81, a bill for an act to amend Section Five Hundred Twenty (520) of the Code in relation to the examination of witnesses by the Coroner, and to provide for a reporter to be appointed by the Coroner, at inquests or investigations, and making provision for the payment thereof.

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. 2, joint resolution of the Thirty-second General Assembly of the State of Iowa making application to the Congress of the United States, to call a convention for proposing amendments to the Constitution of the United States.

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. 292, a bill for an act to repeal Section One Thousand Six Hundred Ninety-nine (1699) of the Code, and enact a substitute therefor, 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.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Warren, Senate File No. 127, a bill for an act to amend Chapter One (1), Title Nine (9) of the Code of 1897, relating to corporations for pecuniary profit and to provide a method for the approval of articles of incorporation, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Warren moved that the committee substitute be substituted for the original bill.

Carried.

The bill was read for information.

Senator Dunham moved the adoption of the following amendment:

Amend by striking out the word "he" in the fourth line from the last line of Section One (1) and insert in lieu thereof the words "The Secretary of State."

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, Crossley, DeArmand, Dunham, Elerick, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Young—38.

The nays were:

None.

Absent or not voting:

Senators Burgess, DeWolf, Dowell, Eckles, Ericson, Kimmel, McManus, Newberry, Saunders, Stirton, Wade, Wilson of Clinton—12.

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

Senator Lambert asked unanimous consent that Senate File No. 84 be made a special order for Thursday at 10:30 o'clock A.M.

Consent granted.

By unanimous consent, on motion of Senator DeArmand, Senate File No. 123, a bill for an act to amend Section Four Thousand Nine Hundred and Sixty-nine (4969) of the Code, 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.

The bill was read for information.

Senator DeArmand moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Clark, Crossley, DeArmand, Dowell, Elerick, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kinne, Lambert, Mattes, Maytag, McKlveen, Moon, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Young—37.

The nays were:

None.

Absent or not voting:

Senators Burgess, DeWolf, Dunham, Eckles, Ericson, Jamieson of Page, Kimmel, McManus, Newberry, Saunders, Stirton, 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.

By unanimous consent, on motion of Senator Jamison of Clarke, House File No. 50, a bill for an act relating to rates of fraternal beneficiary societies, 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 the adoption of the following amendment:

Amend Section One (1) by adding after the colon in last line the following: "Provided, however, that nothing in this act shall be construed to apply to any association organized solely for benevolent purposes and composed wholly of members of any one occupation or guild."

Adopted.

Further consideration of the bill was postponed.

Senator Elerick moved that the time for the convening of the Senate be fixed at 9 o'clock A.M. for the balance of the session.

The motion was lost.

Senator Young moved that the time for the convening of the Senate be fixed at 9:30 o'clock A.M.

Carried.

Senator Bruce asked unanimous consent that the special order for Senate File No. 18, set for Wednesday at 10:30 o'clock A.M., be changed to 10:30 o'clock A.M. Friday.

Consent granted.

Senator Stookey moved that the time for adjournment be extended for the correction of the Journal.

Carried.

The Journal of Thursday, February 28, was taken up, corrected and approved.

The President declared the Senate adjourned until 9:30 o'clock A.M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, MARCH 6, A. D. 1907.

Senate met in regular session at 9:30 o'clock A.M., President Garst presiding.

Prayer was offered by the Rev. W. T. Suckom of Manchester, Iowa.

On request of Senator Mattes, leave of absence was granted Senator Maytag until tomorrow.

On request of Senator Smith of Mitchell, leave of absence was granted Senator Ericson indefinitely on account of sickness.

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

PETITIONS AND MEMORIALS.

Senator Smith of Mitchell presented petition of teachers favoring the measures to create an educational commission to revise the school laws; to empower the State Educational Board of Examiners to validate state certificates and diplomas issued in other states, and accept graduation from the regular and collegiate courses of higher institutions of learning; to increase the State support for normal institutes to \$200 per county, and to repeal the law requiring teachers to pay a registration fee.

Referred to Committee on Schools.

Senator Wilson of Fayette presented petitions of Local Union, International Brotherhood of Blacksmiths, and Maple Leaf Lodge, International Association of Machinists, both of Oelwein, Iowa, protesting against the abolishment of the offices of State Printer and State Binder; opposing competition of convict labor with free labor, and favoring the passage of Senate File No. 92, relative to street railways.

Referred to Committee on Printing.

Senator Smith of Des Moines presented petition of one hundred and seventeen residents of Burlington, Iowa, favoring the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Stuckslager presented petition of citizens of Lisbon, Iowa, favoring Senate File No. 15, relative to the establishment of an Insurance Department and an Insurance Commissioner.

Referred to Committee on Appropriations.

Senator Stuckslager presented petition of constituents favoring the establishment of an Insurance Department and an Insurance Commissioner.

Also a petition of residents of Central City asking an appropriation for the benefit of the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Insurance.

Senator Foley presented petition of residents of Nashua, Iowa, favoring an appropriation for the benefit of the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Wade presented petition of Commercial Club of Parkersburg, Iowa, favoring the passage of Senate File No. 165, relating to the manufacture, transportation and sale of intoxicating liquors.

Referred to Committee on Suppression of Intemperance.

Senator DeArmand presented petition of fuel dealers of Davenport, Iowa, favoring the measure known as the Reciprocal Demurrage law.

Referred to Committee on Railroads.

Senator Peterson presented petition of citizens favoring the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Dunham presented petition of citizens of Manchester and vicinity favoring the passage of the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Wilson of Fayette presented petition of constituents

favoring the proposed establishment of an Insurance Department and an Insurance Commissioner.

Referred to Committee on Insurance.

Senator Wilson of Fayette presented remonstrance of Local Union International Brotherhood of Blacksmiths of Oelwein, against the proposed amendment to Section Forty Hundred and Eleven of the Code, relative to exemptions.

Referred to Committee on Judiciary.

Senator Bleakly presented remonstrance of druggists and pharmacists of Kingsley, Iowa, against Senate Files No. 31 and 33 and House File No. 45, relating to the manufacture and sale of patent medicines.

Referred to Committee on Pharmacy.

Senator Bruce presented remonstrance of citizens of Anita and vicinity against the McManus Bill, relating to shipment of liquors.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Crossley, Senate File No. 274, a bill for an act to legalize the plat of W. O. Lee's addition to Macksburg, Iowa.

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

By Senator Lambert, Senate File No. 275, a bill for an act to amend Sections Three (3) and Four (4) of Chapter Three (3) of the acts of the Thirty-first General Assembly, relating to printing, binding and distribution of State reports and documents.

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

By Senator Lambert, Senate File No. 276, a bill for an act to amend the law as it appears in Section One Hundred and Thirty-six of the Supplement to the Code, fixing the manner of distribution of the report of the Academy of Sciences.

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

By Senator Saunders, Senate File No. 277, a bill for an act to provide a uniform system of books, blanks, records, vouchers, etc.,

for use of County Auditors, County Treasurers and Clerks of the District Court.

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

HOUSE MESSAGES CONSIDERED.

House concurred in Senate substitute amendment to House File No. 81, a bill for an act to amend Section Five Hundred Twenty (520) of the Code, in relation to the examination of witnesses by the Coroner, and to provide for a reporter to be appointed by the Coroner, at inquests or investigations, and making provision for the payment thereof.

Passed on file.

House concurrent resolution relative to publishing reports of the Iowa State Highway Commission.

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

Senate Joint Resolution No. 2, joint resolution of the Thirty-second General Assembly of the State of Iowa, making application to the Congress of the United States to call a convention for proposing amendments to the Constitution of the United States.

Passed on file.

House File No. 292, a bill for an act to repeal Section Sixteen Hundred and Ninety-nine of the Code, and enact a substitute therefor, 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.

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. 49, 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.

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. 252, a bill for an act to repeal Section Two Thousand Eight Hundred and Fourteen (2814) of the Code and enact a substitute therefor, relative to the acquisition of school sites.

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 Two Thousand Four Hundred and Fifty-two (2452) of the Code of Iowa, relating to the securing of petitions of general consent.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 9, a bill for an act to confirm the title of F. C. Lovrein in a strip of land on Sec. 15, T. 93, R. 34 W. of the 5th P. M., lying between the true south boundary line and the meandered south boundary line of Rat Lake in said section, and authorizing the Executive Council to quit claim said strip to him.

Also:

Senate File No. 64, a bill for an act to legalize certain actions of the Board of Supervisors of Appanoose county, Iowa, relating to Drainage District No. 1 of said county, and the issuance of bonds for the payment of the expenses, costs, costs of construction, and fees.

Also:

Senate File No. 82, 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.

Also:

Senate File No. 158, a bill for an act making an additional appropriation to pay the remainder of the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, the Iowa Vicksburg Park Monument Commission, and the Iowa Andersonville Prison Monument Commission upon their joint visit to dedicate the monu-

ments erected by the State of Iowa upon southern battlefields and at Andersonville.

Also:

Senate File No. 220, a bill for an act making an appropriation for the benefit of the State Hospital at Mt. Pleasant.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 220, a bill for an act making an appropriation for the benefit of the State Hospital at Mt. Pleasant.

Also:

Senate File No. 158, a bill for an act making an additional appropriation to pay the remainder of the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, the Iowa Vicksburg Park Monument Commission, and the Iowa Andersonville Prison Monument Commission upon their joint visit to dedicate the monuments erected by the State of Iowa upon southern battlefields and at Andersonville.

Also:

Senate File No. 82, 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.

Also:

Senate File No. 64, a bill for an act to legalize certain actions of the Board of Supervisors of Appanoose county, Iowa, relating to Drainage District No. 1 of said county, and the issuance of bonds for the payment of expenses, costs, costs of construction, and fees.

Also:

Senate File No. 9, a bill for an act to confirm the title of F. C. Lovrein in a strip of land on Sec. 15, T. 93, R. 34 W. of the 5th P. M., lying between the true south boundary line and the meandered south boundary line of Rat Lane in said section, and authorizing the Executive Council to quit claim said strip to him.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate File No. 9, a bill for an act to confirm the title of F. C. Lovrein in a strip of land on Sec. 15, T. 93 N., R. 34 W. of the 5th P. M., lying between the true south boundary line and the meandered south boundary line of Rat Lake in said section, and authorizing the Executive Council to quit claim said strip to him.

Also:

Senate File No. 64, a bill for an act to legalize certain actions of the Board of Supervisors of Appanoose county, Iowa, relating to Drainage District No. 1 of said county, and the issuance of bonds for the payment of the expenses, costs, costs of construction, and fees.

Also:

Senate File No. 82, 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.

Also:

Senate File No. 158, a bill for an act making an additional appropriation to pay the remainder of the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, the Iowa Vicksburg Park Monument Commission, and the Iowa Andersonville Prison Monument Commission upon their joint visit to dedicate the monuments erected by the State of Iowa upon southern battlefields and at Andersonville.

Also:

Senate File No. 220, a bill for an act making an appropriation for the benefit of the State Hospital at Mt. Pleasant.

W. B. SEELEY,
Chairman.

Adopted.

THIRD READING OF BILLS.

Senate resumed consideration of House File No. 50, a bill for an act relating to rates of fraternal beneficiary societies, which was under consideration yesterday.

Senator Bruce moved to amend by adopting the following as a substitute:

SUBSTITUTE FOR HOUSE FILE NO. 50.

A BILL for an act regulating fraternal beneficiary societies, orders or associations, establishing a standard mortality table therefor, requiring adequate rates with an annual accounting and distribution, providing for valuation of certificates, designating plans of insurance and beneficiaries, and declaring any contract in conflict herewith void.

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

SECTION 1. No fraternal beneficiary society shall hereafter be organized in this State which does not provide for the collection from its members for mortality purposes of payments equal to those required by the American Experience Table of Mortality, with interest at a rate not exceeding $3\frac{1}{2}$ per centum per annum.

SEC. 2. No foreign fraternal beneficiary society not now authorized to transact business in this State shall hereafter be authorized to transact business as a fraternal beneficiary society in this State which does not provide for the collection from its members for mortality purposes of payments equal to those required by the American Experience Table of Mortality, with interest at a rate not exceeding $3\frac{1}{2}$ per centum per annum.

SEC. 3. No fraternal beneficiary society now authorized to transact business in this State shall be licensed to transact business in this State as a fraternal beneficiary society after the expiration of its license which may be in force on December 31, 1910, which does not provide for the collection of payments from its members admitted after December 31, 1908, for mortality purposes equal to those required by the American Experience Table of Mortality, with interest at a rate not exceeding $3\frac{1}{2}$ per centum per annum.

SEC. 4. Every fraternal beneficiary society transacting business in this State and collecting payments from its members based upon the American Experience Table of Mortality, shall make an accounting with its members on the 31st day of December of each year for the purpose of ascertaining the cost of mortality, expense, and the reserve required upon the insurance granted upon rates based upon said table, and if such accounting shall disclose a surplus after providing for mortality, expense, and necessary reserve, equal to or exceeding one or more periodical or monthly payments from all members who have made periodical or monthly payments for one full year before said December 31st, based upon said mortality table, then such surplus shall be distributed to such members by crediting one or more periodical or monthly payments as the case may be, within three months after December 31st of the year for which the accounting is had, and charging the amount so credited against such surplus, and any surplus not equal to the aggregate of one periodical or monthly payment of those entitled to participate in said accounting shall be retained by the society and disposed of at the next annual accounting. Any member entitled to participate in any accounting shall receive from the society of which he is a member a statement of the accounting as the same may be made under the provisions of this act, which statement shall show in detail the facts upon which said accounting is based.

SEC. 5. Every fraternal beneficiary society transacting business in this State shall keep the funds and properties, books, and accounts of the members paying upon the basis of the American Experience Table of Mortality separate from the funds and properties, books, and accounts of the members whose assessments and payments are not based upon said mortality table, and the rights of the members and the liability of the society to the members and their beneficiaries shall be determined accordingly.

SEC. 6. The Auditor of State shall have supervision, direction, and control over all fraternal beneficiary societies, licensed to transact business or organized in this State, and shall have authority, whenever by him deemed expedient or necessary and as often as may be requested by the society, to value all contracts of insurance issued by fraternal beneficiary societies authorized to transact business or organized in this State, the expense thereof to be paid by such society.

SEC. 7. Every fraternal beneficiary society authorized to transact business in this State may admit as members persons between the ages of sixteen and sixty years, and who are otherwise eligible.

SEC. 8. The beneficiaries of members of fraternal beneficiary societies authorized to transact business in this State shall be limited to members of the family of, heirs of, blood relations of, affianced wife, or affianced husband of the members, or to persons dependent upon the member for support, or to the member's estate.

SEC. 9. All fraternal beneficiary societies transacting business in this State and collecting payments from its members based upon the American Experience Table of Mortality shall have authority to issue contracts of life insurance upon the following plan:

1. Level life premiums.
2. Twenty-year payment premium.
3. Step rate or natural premium to age 65, and then level or then terminating.
4. Level to age 65 and then terminating.

SEC. 10. Every fraternal beneficiary society complying with the provisions of Sections One (1), Two (2), or Three (3) hereof shall have authority, but are not required to transfer its members paying premium not in accordance with American Experience Table of Mortality to the classes or plans which do pay premiums based upon the American Experience Table of Mortality without medical examination, provided the transferred member be rated and required to pay premiums at his attained age at the time of transfer based upon the American Experience Table of Mortality, with interest at not exceeding $3\frac{1}{2}$ per centum per annum.

SEC. 11. All contracts, laws, rules, regulations, or provisions of any fraternal beneficiary society in conflict with the terms of this law shall be null, void, and non-enforceable.

SEC. 12. All laws and parts of laws in conflict herewith are hereby repealed.

Senator Dunham moved the previous question on the amendment and the original bill.

Carried.

The substitute was lost.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Burgess, Clark, Crossley, Dunham, Eckles, Elerick, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Kimmel, Mattes, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Young—31.

The nays were:

Senators Allen, Bruce, DeWolf, Dowell, Gale, Jones, Kinne, Lambert, McKlveen, Moon, Whiting, Wilson of Clinton—12.

Absent or not voting:

Senators DeArmand, Ericson, Jamieson of Page, McManus, Maytag, Newberry, Taylor—7.

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. 9, 220, 158 and 64.

REPORTS OF COMMITTEE.

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. 188, a bill for an act for the regulation and taxation of persons who shall maintain an office or place of business where intoxicating liquors are held in store, and purchase price thereof collected for the owner from the persons to whom they have been conditionally sold, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the statement that, while the committee think some legislation in line with the bill advisable, there are legal questions involved, and recommend that the bill be sent to the Judiciary Committee.

GEO. W. DUNHAM,
Chairman.

Adopted.

So the bill was referred to Committee on Judiciary.

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. 189, a bill for an act to regulate and tax persons taking orders for intoxicating liquors to be delivered in the future, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the statement that, while the committee think some legislation in the line with the bill advisable, there are legal questions involved, and recommend that the bill be sent to the Judiciary Committee.

GEO. W. DUNHAM,
Chairman.

Adopted.

So the bill was referred to the Committee on Judiciary.

Senator Young moved that the time for adjournment be extended for the correction of the journal and the consideration of House messages.

Carried.

HOUSE MESSAGES CONSIDERED.

House File No. 252, a bill for an act to repeal Section Twenty-eight Hundred and Fourteen (2814) of the Code, and enact a substitute therefor, relative to the acquisition of school sites.

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

House File No. 269, a bill for an act to amend Section Twenty-four Hundred and Fifty-two (2452) of the Code of Iowa, relating to the securing of petitions of general consent.

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

House File No. 49, 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.

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

Senator Elerick moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9:30 o'clock a. m. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, MARCH 7, A. D. 1907.

Senate met in regular session at 9:30 o'clock A. M., President Garst presiding.

Prayer was offered by Representative Geo. W. Swan of Plano, Iowa.

PETITIONS AND MEMORIALS.

Senator Mattes presented petition of teachers of the public schools of Schaller, Iowa, favoring the measures to create an educational commission to revise the school laws; the Turner bill, relative to certificates and diplomas issued in other states; the Stookey bill, empowering the board of examiners to accept graduation from regular collegiate courses of higher institutions of learning; to increase the State support of normal institutes to \$200 per county and to repeal the section requiring a registration fee.

Referred to Committee on Schools.

Senator Wilson of Clinton presented petition of citizens of Clinton, Iowa, requesting that the question of enfranchisement of women be submitted to the voters of Iowa.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Dunham presented petition of citizens requesting that such legislative action be had as may be necessary to submit to the voters of Iowa constitutional amendment providing for the prohibition of the manufacture and sale of alcoholic liquors.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Dunham presented petition of residents of Independence, Iowa, favoring the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Jamieson of Page presented petition of residents of Essex, Iowa, favoring House File No. 241, relative to agricultural high schools.

Referred to Committee on Appropriations.

Senator Gilliland presented petition of constituents favoring the passage of the bill providing for an agricultural and manual training school at Red Oak, Iowa.

Referred to Committee on Appropriations.

Senator Hughes presented petition of residents of Williamsburg, Iowa, favoring the passage of a law to prohibit treating with intoxicating liquors, except in a mullet saloon or the home of the giver.

Referred to Committee on Suppression of Intemperance.

President Garst presented petition of M. Hollopeter & Son of Koszta, Iowa, asking an extension of the exemption period of the pure food law so far as it applies to canned corn and peas.

Referred to Committee on Agriculture.

Senator Saunders presented petition of constituents asking an appropriation for the benefit of the swine department of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Saunders presented petition of farmers and stock feeders of Pottawattamie county favoring the proposed measure in regard to speed of stock trains.

Referred to Committee on Railroads.

INTRODUCTION OF BILLS.

By Senator Kinne, Senate File No. 278, a bill for an act to authorize the construction of a lock canal between Spirit Lake and east Okoboji Lake in Dickinson county, Iowa.

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

By Senator Eckles, Senate File No. 279, a bill for an act in regard to admission to the Soldiers' Home and payment for support by members.

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

By Committee on Elections, Senate File No. 280, 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, providing penalties for the violation thereof, and repealing Chapter Forty (40), laws of the Thirtieth General Assembly and Chapters Forty-five (45) and Forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections.

Read first and second time and placed on calendar.

By Senator Stirton, Senate File No. 281, a bill for an act to amend Section Fifty-one Hundred and Sixty-eight (5168) of the Code relating to the time of commencing criminal actions.

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

By Senator Whipple, Senate File No. 282, a bill for an act to provide for an exhibit of the arts, industries and resources of the State of Iowa at the Alaska-Yukon-Pacific Exposition to be held in the city of Seattle, in the State of Washington, and making appropriation therefor.

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

By Senator Gilliland, Senate File No. 283, a bill for an act legalizing an ordinance of the city council of the city of Red Oak Junction (now Red Oak), Iowa, passed February 5, A. D. 1900, granting to the Red Oak Gas Light company the use of the streets of Red Oak Junction (now Red Oak), Iowa, with certain conditional rights and privileges, for the purpose of erecting, purchasing, owning and maintaining a gas works system in said city.

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

By Senator Saunders, Senate File No. 284, a bill for an act relating to the official inspection and weighing of grain at terminal cities and towns, under the control and direction of the State Board of Railway Commissioners, providing for the appoint-

ment of a chief inspector and his assistants and defining the manner in which inspection and weighing of grain shall be made; also prohibiting persons from interfering with inspectors and weigh-masters in the discharge of their duties, and prohibiting persons from making inspection of or weighing grain in any city or town where official inspection has been established, and providing penalties for violations of this act.

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

Senator Dunham stated that in view of the objection of the Senator from Guthrie, he now consents that Senate File No. 223 be referred to Committee on Appropriations, and it was so referred.

REPORTS OF COMMITTEES.

Senator Stuckslager, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate File No. 75, a bill for an act to repeal Section One Thousand Eight Hundred and Sixty-nine (1869) of the Code, relating to pay of, and loans to, officers of state and savings banks, 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, for the reason that the same is identical with House File 107 herewith reported for passage.

W. C. STUCKSLAGER,
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. 107, a bill for an act to repeal Section One Thousand Eight Hundred and Sixty-nine (1869) of the Code, relating to pay of, and loans to, officers of state and savings banks, 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.

W. C. STUCKSLAGER,
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. 76, a bill for an act to repeal Sections One Thousand Eight Hundred and Seventy-two (1872) and One Thousand Eight Hundred and 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, beg leave to report that they have 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 "section" and figures "1872" in line three thereof, and also the words "quarterly statements" in said line three, and the period following the figure "2" in "1872," and the period following the word "statement," and also striking out the quotation marks before the said word "section."

That the word "one" in line seven of the original bill, between the words "of of" be stricken out, and the word "two" be inserted in lieu thereof.

That subdivisions numbered five (5) and six (6) be stricken out and numbered five (5), and the words "other liabilities" be inserted in lieu thereof. That subdivision seven (7) be numbered six (6); that subdivision eight (8) be numbered seven (7); that subdivision nine (9) be numbered eight (8); that subdivision ten (10) be numbered nine (9); that subdivision eleven (11) be numbered ten (10); that subdivision twelve (12) be numbered eleven (11); that subdivision thirteen (13) be numbered twelve (12); that subdivision fourteen (14) be numbered thirteen (13).

That Section Two (2) be amended by striking out the word "section," and the figures "1873," and the period following the figures "1873" in line four of Section Two (2), and also striking out the quotation marks before the said word "section."

That Section Two (2) be further amended by striking out the words "daily or weekly" in line ten of Section Two (2), and also the words "daily or weekly" in line two of said section.

That said Section Two (2) be further amended by striking out the colon after the word "office" in line twenty-one of said section, and inserting a comma in lieu thereof, and by adding the words and punctuation "but shall not be open to public inspection."

That Section Two (2) be further amended by striking out the words "with rates of interest paid" after the word "deposit," in line four of subdivision four (4), and inserting a semicolon after the word "deposit."

That lines five, six and seven under subdivision four (4) be stricken out and the following inserted in lieu thereof:

Interest paid on time deposits:	(3 months.....Per cent.
	(6 months.....Per cent.
	(12 months.....Per cent.

That Section Two (2) be further amended by striking out the word "excepting" in subdivision number sixteen (16), and inserting in lieu thereof the word "including."

That Section Three (3) be stricken out.

And when so amended the bill do pass.

W. C. STUCKSLAGER,
Chairman.

Ordered passed on file.

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. 277, a bill for an act to provide for a uniform system of books, blanks, records, vouchers, etc., for use of county auditors, county treasurers and clerks of the district court, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend Section One (1) of said bill by striking out after the word "not" in the ninth line thereof the following: "more than eight (8)," and inserting in lieu thereof the following: "less than five (5) nor more than seven (7)."

Amend Section One (1) by striking out the word "all" in the tenth line of said section, and inserting in lieu thereof the word "each."

Amend Section One (1) by striking out the period after the word "court" in the twelfth line thereof and insert a comma in lieu thereof, and add after said comma the following: "or who shall be an expert accountant."

And when so amended the bill do pass.

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 Senate File No. 265, a bill for an act to amend the law as it appears in Section Two (2), Chapter One Hundred Forty (140), laws of the Thirty-first General Assembly, relating to the funding of school district 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 referred to the Committee on Schools.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was referred to Committee on Schools.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 274, a bill for an act to legalize the plat of W. O. Lee's addition to Macksburg, 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 Section One (1) of said bill by adding thereto the following: "But nothing herein shall be construed to affect pending litigation."

And when so amended the bill 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 House File No. 270, a bill for an act to amend Sections Five (5) and Six (6) of Chapter One Hundred Eighty-six (186), laws of the Thirtieth General Assembly, relating to the meandered lake beds in the State, and authorizing the Executive Council to survey and sell 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.

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. 145, a bill for an act to legalize conveyances of real estate by executors, administrators, and guardians in this or foreign 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 indefinitely postponed.

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. 61, a bill for an act to authorize the bringing of ordinary suits at law for the collection of delinquent taxes and for

the issuance of writs of attachment in certain cases, and to amend Section One Thousand Four Hundred and Fourteen (1414) 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:

SUBSTITUTE FOR SENATE FILE NO. 61.

A BILL for an act additional to Title Seven (7), Chapter Two (2) of the Code, authorizing County Treasurers to commence and prosecute ordinary actions at law for the enforcement of tax liens, and the collection of taxes in addition to all the other remedies now provided by law for the collection of taxes and for the issuance of a writ of attachment in certain cases without bond for the purpose of enforcing the payment of taxes whether due or not due, and collecting the same.

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

SECTION 1. In addition to all other remedies and proceedings now provided by law for the collection of taxes on personal property, the county treasurer is hereby authorized to bring or cause an ordinary suit at law to be commenced and prosecuted in his name for the use and benefit of the county for the collection of taxes from any person, persons, firm or corporation, as shown by the tax list in his office, and the same shall be in all respects commenced, tried and prosecuted to final judgment the same as provided by the Code for ordinary actions.

SEC. 2. All the provisions of Chapter One (1) and Two (2) of Title Nineteen (19) of the Code and acts amendatory thereto, are hereby made applicable to any proceedings instituted by a county treasurer under the provisions of Section One (1) hereof, and a writ of attachment shall be issued upon the county treasurer complying with the provisions of said chapter, for taxes, whether due or not due, except that no bond shall be required from the treasurer or county in such cases, but the county shall be liable for damages, only, as provided by Section Thirty-eight Hundred Eighty-seven (3887) of the Code.

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 Capital, newspapers published in the city of Des Moines, Iowa.

C. C. DOWELL,
Chairman.

And when so amended the bill do pass.

The substitute was read first and second time and 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. 73, 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 for the Iowa State University, erected in Eighteen Hundred and Ninety-seven (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 to read as follows:

Amend Section One (1) as follows:

SECTION 1. There is hereby appropriated out of any funds in the State treasury not otherwise appropriated the sum of Four Thousand Five Hundred and One (\$4,501.50) Dollars and Fifty cents, to be paid as follows:

To the Iowa City Lumber Company of Iowa City.....	\$508.41
To George W. Parker of Clinton, Iowa.....	770.10
To LeGrand Quarry Company of Marshall county.....	499.12
To A. E. Shortnill Company.....	268.75
To C. Hurley of Iowa City.....	396.44
To David Stephens of Iowa City.....	985.89
To John Volk & Co., of Rock Island, Illinois.....	550.06
To the Platt Pressed Brick & Fire Co., Van Meter, Iowa.....	522.75

The State Auditor is hereby authorized and directed to issue warrants to each of the above named persons and companies for the respective amounts above stated.

Amend Section Two (2) by striking out the word "Daily" between the words "Des Moines" and "Capital" in the third line of said section.

And when so amended the bill be referred to the Committee on Appropriations with the recommendation that the bill do pass.

CHARLES ECKLES,
Chairman.

Adopted.

So the bill was referred to Committee on Appropriations.

Senator Wilson of Fayette asked unanimous consent to have 300 extra copies of Senate File No. 280 printed.

Consent granted.

Senator Wilson of Fayette asked unanimous consent that Senate File No. 280 be made a special order for next Tuesday at 10:30 o'clock A. M.

Consent granted.

Senator Bruce offered the following amendment as a substitute for the amendment offered by him to Section Two (2) of Senate File No. 18, and asked that it be printed in the Journal.

As a substitute for the amendment offered by me to Senate File No. 18, as printed in the Senate Journal of February 23rd, 1907, I offer the following:

I move to amend Senate File No. 18 by striking out all of Section Two (2) of the bill, and by inserting the following in lieu thereof:

SEC. 2. Every barrel, bag, box, pail, parcel or package of concentrated commercial feeding stuffs as defined in Section Three (5) of this act, and every feed intended for domestic animals that is compounded of two or more substances, shall, in addition to the requirements of Section One (1), be offered for sale under its own distinctive name and not under the name of any other article.

It shall be labeled or branded so as not to deceive or mislead the purchaser in any way, and the contents of any such package shall not be substituted in whole or part for any other contents.

Any statement, design, or device upon the label or package regarding the substances contained therein shall be true and correct and any claims made for the feeding, condimental, tonic, or medicinal value shall not be false or misleading in any particular.

The name and percentage of any deleterious or poisonous ingredient or ingredients shall be plainly stated upon the outside of the package or container.

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. 147, a bill for an act to legalize the action of the city council of LeMars, Iowa, in allowing certain sums of money to the volunteer fire department of said city; in allowing certain sums of money to the Grand Army Post and instructor for a band, and in allowing to the members of the council of said city a sum claimed to be in excess of that provided by law, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate File No. 179, 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, and define "bona fide yearly subscriber," beg leave to report that they 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.

JOS. H. ALLEN,
Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Printing, to whom was referred

Senate File No. 275, a bill for an act to amend Sections Three (3) and Four (4) of Chapter Three (3) of the acts of the Thirty-first General Assembly, relating to printing, binding, and distributing of State reports and documents, beg leave to report that they 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, with the following amendment: Strike out all in Section One (1), after the word "section," in the seventh line, and insert a period after the word "section."

JOS. H. ALLEN,
Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate File No. 276, a bill for an act to amend the law as it appears in Section One Hundred and Thirty-six (136) of the Supplement to the Code, fixing the manner of distribution of the report of the Academy of Sciences, beg leave to report that they 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.

JOS. H. ALLEN,
Chairman.

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 House File No. 275, a bill for an act to prohibit misrepresentation by 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 do pass.

W. P. WHIPPLE,
Chairman.

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. 239, a bill for an act amending Section One Thousand Three Hundred and Thirty-three (1333) of the Code Supplement, in relation to taxes paid by insurance companies other than those organized under 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 be referred to the Committee on Ways and Means.

W. P. WHIPPLE,
Chairman.

Adopted.

So the bill was referred to the Committee on Ways and Means.

The President announced that he had signed, in the presence of the Senate, Senate File No. 82.

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. 5, a bill for an act entitled an act defining desertion, providing punishment therefor, and permitting a husband or wife to be a witness in such cases.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate File No. 175, a bill for an act to amend the law as it appears in Section Two Hundred and Fifty-five (255) of the Supplement to the Code, relating to superior courts, 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 the adoption of the following amendment:

Amend Section One (1) by striking out the word "four" in the last line of said section and insert in lieu thereof the word "three."

The amendment was lost.

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

On question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, DeArmand, DeWolf, Dowell, Elerick, Foley, Frudden, Gale, Hughes, Jackson, Jamieson of Page, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Nichols, Saunders, Seeley, Smith of Des Moines, Stirton, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—34.

The nays were:

Senators Burgess, Dunham, Jones, Peterson, Whipple—5.

Absent or not voting :

Senators Crossley, Dunham, Ericson, Gilliland, Hopkins, Jamison of Clarke, Kimmel, Newberry, Smith of Mitchell, Stookey, Stueckslager—11.

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

The hour having arrived, House File No. 84, 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, etc., with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Young was called to the chair at 11 o'clock.

President Garst resumed the chair at 11:45 o'clock.

Further consideration of this bill was postponed.

By unanimous consent, on motion of Senator Saunders, Senate File No. 215, a bill for an act to amend the law as it appears in Section Six Hundred and Seventy-nine-a (679-a), Six Hundred and Seventy-nine-f (679-f), Six Hundred and Seventy-nine-g (679-g) and Six Hundred and Seventy-nine-h (679-h) of the Supplement to the Code, relating to board of police and fire commissioners in certain cities of the first class, and providing for the taking effect thereof, was taken up and considered.

Senator Saunders moved that the time for adjournment be extended until the bill under consideration be disposed of, and the correction of the Journal.

Carried.

Senator Dowell offered the following amendment and moved its adoption.

Move to amend Section Four (4) by striking out all after the word "the" before the word "words" in the second line thereof, and by inserting in lieu thereof the following, "word except and inserting in lieu thereof the word including."

Adopted.

Senator Wilson of Clinton moved to amend Section One (1) by striking out the words and figures "twenty-five" in line three and inserting in lieu thereof the words and figures "twenty."

Adopted.

The bill as amended was read for information.

Senator Moon offered the following amendment and moved its adoption: "amend by striking out Section Six (6)."

The amendment was lost.

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

On question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Lambert, McKlveen, McManus, Mattes, Maytag, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

Senator Moon—1.

Absent or not voting:

Senators Bruce, Dunham, Ericson, Jones, Kimmel, Kinne, Newberry—7.

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

Senator Turner moved that when the Senate adjourn it be until 1:30 o'clock P. M.

Carried.

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

The President declared the Senate adjourned until 1:30 o'clock P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P. M., President Garst presiding.

HOUSE MESSAGE CONSIDERED.

Senate File No. 5, a bill for an act entitled an act defining desertion, providing punishment therefor, and permitting a husband or wife to be a witness in such cases.

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 amended and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 78, a bill for an act to provide for the examination and regulation of graduate nurses; also to regulate the practice of nursing by graduate nurses and to provide a penalty.

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 the following bill, in which the concurrence of the House was asked:

House File No. 47, a bill for an act regulating disbursements of domestic life insurance companies.

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 the following bill, in which the concurrence of the House was asked:

House File No. 111, a bill for an act to define and punish lewd, immoral and lascivious acts and to provide penalty for the 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 the following bill, in which the concurrence of the House was asked:

House File No. 164, a bill for an act to amend Section Seven Hundred (700) of the Supplement to the Code, relating to the licensing and regulation of keepers of intelligence or employment offices.

C. R. BENEDICT,
Chief Clerk.

Senate resumed consideration of Senate File No. 84, 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, to prescribe its duties and to provide for the management and control of said schools.

Senator Crossley offered the following amendment and moved its adoption :

Amend Section Two (2) of the printed bill by striking out the word "three" in line eleven and inserting in lieu thereof the word "six;" by striking out the words "three for four years; three for six years; three for eight years; three for ten years" in lines twelve and thirteen and inserting in lieu thereof the words "six for four years and three for six years;" also by striking out the word "ten" in line fourteen and inserting in lieu thereof the word "six."

On the adoption of the amendment a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were :

Senators Allen, Bleakly, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gale, Jackson, Jamison of Clarke, Jones, McKlveen, McManus, Mattes, Maytag, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stookey, Stuckslager, Wade, Warren, Wilson of Clinton, Young—31.

The nays were :

Senators Bruce, Burgess, Gilliland, Hopkins, Hughes, Kinne, Lambert, Moon, Smith of Mitchell, Stirton, Taylor, Turner, Wilson, of Fayette—13.

Absent or not voting :

Senators Ericson, Jamieson of Page, Kimmel, Newberry, Whipple, Whiting—6.

So the amendment was adopted.

Senator Stookey moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9:30 o'clock A. M.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, MARCH 8, A. D. 1907.

Senate met in regular session at 9:30 o'clock A.M., President Pro Tem. Smith of Mitchell presiding.

Prayer was offered by the Rev. T. B. Palmer of Chariton, Iowa.

PETITIONS AND MEMORIALS.

Senator Clark presented petition of citizens of Poweshiek county urging the passage of Senate File No. 94, appropriating funds for the improvement and equipment of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Whipple presented petition from members of the International Association of Machinists, No. 666, located at Belle Plaine, Ia.; the Boilermakers and Iron Shipbuilders of America, No. 440, of Belle Plaine, Ia., and members of the Brotherhood of Locomotive Engineers, No. 526, of Belle Plaine, Ia., all favoring the bills known as House File No. 65 (the Sixteen Hour Service Bill), House File No. 299 and Senate File No. 236 (the Assumption of Risk Bills), and opposing House File No. 132 and Senate File No. 86 (the Retailers' Exemption Bills).

Referred to Committee on Judiciary.

Senator Whipple presented petition of seventeen ladies of Vinton, Iowa, in favor of the Pure Drug Bill, and also petition from the teachers of the Traer public schools, favoring the Harvey bill, believing it to insure better support for the county institutes, and removing the registration fee.

Referred to Committee on Public Health.

Senator Mattes presented petition of citizens of Early and vicinity against the bill requiring a license to hunt or carry a gun.

Referred to Committee on Fish and Game.

Senator Ericson presented petition of various insurance agents favoring the passage of House File No. 31, establishing an Insurance Department and providing for an Insurance Commission.

Referred to Committee on Insurance.

INTRODUCTION OF BILLS.

By Senator Mattes, Senate File No. 285, a bill for an act to amend Section Two Thousand Five Hundred and Thirty-eight of the Code, regarding actions against unknown defendants to quiet title.

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

By Committee on Appropriations, Senate File No. 286, a bill for an act re-appropriating money for the purchase of land for the State Hospital for Inebriates at Knoxville.

Read first and second time and placed on Calendar.

By Senator Smith of Mitchell, Senate File No. 287, a bill for an act to aid in the acquisition of terminal facilities and power for interurban railway companies.

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

By Senator Bruce, Senate File No. 288, a bill for an act to amend Chapter One Hundred and Fifty-two (152) of the acts of the Thirty-first General Assembly, relating to limitations for the commencement of actions and relative to real property, additional to Chapter Two (2), Title Eighteen (18) of the Code.

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

By Senator Stookey, Senate File No. 289, a bill for an act to amend the law as it appears in Section Five (5), Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly and to require assessors to report deaths occurring in their respective districts.

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

HOUSE MESSAGES CONSIDERED.

Senate File No. 78, a bill for an act to provide for the examination and registration of graduated nurses.

Senator Young moved that the Senate concur in the following House amendments:

By striking out the words "graduate and" in the second line of Section One (1) and of the Senate substitute bill.

By changing the period at the end of the first section to a comma and adding to said section the words "except as hereinafter provided."

Amend by inserting after the word "times" in seventh line, Section Two (2), the words "and places."

By inserting the words "and who have been engaged in the practice of nursing prior to the passage of this act" after the word "State" in the seventh line of Section Two (2) of the Senate substitute bill.

By striking out the words "graduate and" in the third line of Section Four (4) and the abbreviations "G. N." and the word "or" in the fourth line of Section Four (4) and the words "graduate or" in the fifth line of Section Four (4). By striking out the word "and" in the seventh line of Section Four (4) and insert the word "or" in lieu thereof.

Amend by striking from lines five and six in Section Seven (7) the language "the sum of One Hundred Dollars (\$100) per annum and."

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Eckles, Elerick, Ericson, Foley, Hopkins, Hughes, Jackson, Kimmel, Kinne, Lambert, McKlveen, Newberry, Nichols, Peterson, Seeley, Smith of Des, Smith of Mitchell, Stuckslager, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—33.

The nays were:

None.

Absent or not voting:

Senators Dowell, Dunham, Frudden, Gale, Gilliland, Jamieson of Page, Jamison of Clarke, Jones, McManus, Mattes, Maytag, Moon, Saunders, Stirton, Stookey, Taylor, Wade—17

So the Senate concurred in the House amendments.

House concurred in Senate amendments to House File No. 47, a bill for an act regulating disbursements of domestic life insurance companies.

Passed on file.

House concurred in Senate amendments to House File No. 111, a bill for an act to define and punish lewd, immoral and lascivious acts and to provide penalty for the same.

Passed on file.

House concurred in Senate amendments to House File No. 164, a bill for an act to amend Section Seven Hundred (700) of the Supplement to the Code, relating to the licensing and regulation of keepers of intelligence or employment offices.

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. 160, a bill for an act to amend the law as it appears in Section One Hundred Sixty-eight (168) and Section Two Thousand Six Hundred and Thirty-four-a (2634-a) of the Supplement to the Code, providing for furnishing the Educational Board of Examiners with supplies and printing, and for the payment of the expenses of the Educational 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 following be substituted in lieu thereof, and when so substituted the bill do pass:

SUBSTITUTE FOR SENATE FILE NO. 160.

A BILL for an act to amend the law as it appears in Section One Hundred and Sixty-eight (168) of the Code and in Chapter Two (2) of Title Thirteen (13) of the Code and Code Supplement and amendments thereto, and Chapter One Hundred and Twenty-two (122) and acts of the Thirty-first General Assembly, defining the duties, fixing the compensation, and providing for the supplies and printing and providing for the payment of the expenses of the Educational Board of Examiners, its secretary, and employes.

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

SECTION 1. That the law as it appears in Section One Hundred and Sixty-eight (168) of the Supplement to the Code be and the same is hereby amended by inserting after the comma following the word "commission" and before the word "and" in the tenth line of said section the words "the Educational Board of Examiners."

SEC. 2. That Section Twentysix Hundred Twenty-nine (2629) of the Supplement to the Code be and the same is hereby amended by striking out all after the word "teachers" in the third line and before the word "all" in the fifth line, and inserting in lieu thereof the following: "To be conducted by a member or the secretary of the board or by such qualified person or persons as the board may select."

SEC. 3. That Section Twenty-six Hundred Thirty-one (2631) of the

Code be and the same is hereby amended by striking out the word "three" in the eighth line and inserting in lieu thereof the word "two"; also by striking out all after the period in the ninth line and inserting in lieu thereof the following: "All monies obtained from this source shall be paid into the State treasury."

SEC. 4. That Section Twenty-six Hundred Thirty-four-a (2634-a) of the Supplement to the Code be and the same is hereby repealed and the following enacted in lieu thereof: "Each member of the board shall receive for the time actually employed in such service his actual necessary expenses, and those not salaried officers or employes of the State or any institution thereof, shall be paid in addition three (\$3.00) dollars per day. The board shall have power to employ a secretary and prescribe his duties. He shall receive a salary not exceeding One Hundred (\$100.00) Dollars per month and actual necessary expenses while engaged in the performance of his duties at places other than the Capitol. The board shall have power to employ such persons as are necessary to assist in examinations and in reading answer papers and for clerical work. Persons so employed shall receive not to exceed fifty cents per hour for the time actually employed and actual traveling expenses to and from the place where their services are required. All expenditures authorized to be made under the provisions of Chapter Two (2) of Title Thirteen (13) of the Code and of the Supplement to the Code and amendments thereto and under the provisions of Chapter One Hundred Twenty-two (122), acts of the Thirty-first General Assembly and under the provisions of this act shall be certified by the chairman of the Educational Board of Examiners to the Executive Council for payment. If found correct the Executive Council shall cause the same to be paid from any funds paid into the State treasury under the provisions of Chapter Twenty-six Hundred Thirty-one (2631) of the Code and Chapter One Hundred Twenty-two (122), acts of the Thirty-first General Assembly and amendments thereto."

SEC. 5. This act shall be construed as giving legal authority to the Educational Board of Examiners to obtain all the necessary printing for the performance of their duties, as required by law, in the same manner as the printing is provided for State officers.

SEC. 6. All acts and parts of acts in conflict with the provisions of this act are hereby so amended as not to be in conflict with the provisions of this act.

SEC. 7. This act, being deemed of immediate importance, shall be in force and take effect after its publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

JAMES J. CROSSLEY,
Chairman.

Adopted.

The substitute was read first and second time and passed on file.

Senator Crossley, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred

House File No. 217, a bill for an act to amend the law as it appears in Section One Hundred Sixty-eight (168) and Section Two Thousand Six Hundred Thirty-four-a (2634-a) of the Supplement to the Code, providing for furnishing the Educational Board of Examiners with supplies and printing and for the payment of the expenses of the Educational 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.

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. 158, a bill for an act to amend Section Two Thousand Six Hundred Twenty-nine (2629) of the Supplement to the Code, Section Two Thousand Six Hundred Thirty-one (2631) of the Code, and Section Two Thousand Six Hundred Thirty-four-a (2634-a) of the Supplement to the Code, relating to the powers and duties of the State Educational 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.

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. 157, a bill for an act to amend Section Fifteen (15), Chapter One Hundred Twenty-two (122), laws 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 be indefinitely postponed.

JAMES J. CROSSLEY,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Gilliland, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 280, a bill for an act to fix the place of bringing

action against municipal corporations in the State of Iowa in all counties where terms of the district court are held in more than one place, beg leave to report that they have 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.

SHIRLEY GILLILLAND,
Chairman.

Adopted.

So the bill was referred to Committee on Judiciary.

Senator Gilliland, 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. 194, a bill for an act authorizing cities of the first class to levy taxes for the purpose of paying for building and reconstruction of bridges and for the issuance of bonds or certificates against such levies, beg leave to report that they have 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 word "fifteen" in the tenth and eleventh line of Section One (1) and inserting in lieu thereof the word "twenty-five."

And when so amended the bill do pass.

SHIRLEY GILLILLAND,
Chairman.

Adopted.

Senator Gilliland, 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. 262, a bill for an act to provide for sewer outlets and purifying plants in cities of the second class 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.

SHIRLEY GILLILLAND,
Chairman.

Adopted.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 192, a bill for an act making an appropriation for the salary and expenses of State agents and other expenses incurred under Chapter One Eighty-one One (181) of the acts 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 be amended by striking out the words and figures "Eight Thousand (\$8,000.00) Dollars" in the fifth

and sixth lines of Section One (1) and inserting in lieu thereof the words and figures "Seven Thousand (\$7,000.00) Dollars," and when so amended the bill do pas.s

F. L. MAYTAG,
Chairman.

Adopted.

Senator Crossley was called to the chair at 9:50 o'clock.

Senator Newberry moved that Senate File No. 18 be referred to Committee on Appropriations with instructions to report within three days.

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. 184, a bill for an act to amend Section One Thousand Eight Hundred Seventy-three (1873) of the Code, relating to publication of reports of 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 House was asked:

Senate File No. 195, a bill for an act amendatory of and additional to Section Nine Hundred Twelve (912) of the Code in relation to the issuance of certificates or bonds in anticipation of special taxes by 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 House was asked:

Senate File No. 28, a bill for an act prohibiting any corporation doing business within the State, or any officer, agent, or representative thereof acting for such corporation, from giving or contributing any money, property, labor, or thing of value, to any member of any political committee, party, or employe thereof, or to any candidate for any office for campaign expenses or political purpose whatsoever. And prohibiting any member of any political committee or employe thereof or any candidate for any office from soliciting, requesting, or knowingly receiving any such contributions from any corporation for campaign expenses or political purpose whatsoever, and providing a penalty 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. 345, a bill for an act to amend Section One Thousand Seven Hundred Forty-three (1745) of the Supplement to the Code, relative to the removal of goods and merchandise covered by 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. 67, a bill for an act to amend Section One Thousand Six Hundred Seventy-five (1675) of the Supplement to the Code, relative to State aid for farmers' institutes.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 84, 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, to prescribe its duties and to provide for the management and control of said schools.

President Pro Tem. Smith of Mitchell resumed the chair at 11:50 o'clock.

Senator Lambert moved that when the Senate adjourn it be until 1:30 o'clock P.M.

Carried.

Further consideration of the bill was postponed until the afternoon.

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. 30, 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, beg leave to report

that they have 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) of said bill by striking out of line three of said section the word "thirty" and insert in lieu thereof the word "twenty-five."

Amend said bill by adding after Section Four (4) the following as Section Four and One-half (4½):

Sec. 4½. If it shall appear at any time after conviction and incarceration in the reformatory that a prisoner was over twenty-five years of age at the time of commitment, he shall be at once transferred to the prison at Fort Madison, and he may likewise be transferred if it shall appear that he had, prior to the last conviction, been convicted of a felony in Iowa or elsewhere.

Amend Section Six (6) of said bill by inserting after the word "reformatory," and before the comma following said word "reformatory," the words "with some suitable employer," and insert in the second line thereof, the words "and the prison at Fort Madison is overcrowded."

Amend Section Fourteen (14) of said bill by striking out of line twenty-three thereof the words "with some suitable employer," and insert in line twenty-two after the word "employment" the words "or maintenance."

Amend said bill by adding after Section Fourteen (14) the following as Section Fourteen and One-half (14½):

Sec. 14½. The Board of Parole may institute any inquiry it may deem expedient in regard to any prisoner or application for pardon, final discharge or parole; but said board shall not receive, unsolicited by them, any petition or communication or argument in regard to said application, unless provided for in their adopted rules.

Amend Section Fifteen (15) of said bill by adding thereto after the period, the following: "All papers and documents relating to the pardon of any person shall, upon the granting of such pardon, become a part of the files of the Governor's office."

Amend Section Sixteen (16) of said bill by striking out the words "the laws and" after the word "under" in the second line of said section; also by inserting before the word "constitution" in the same line the word "the." Also, that before the word "pardon" in the third line of said section there be inserted the word "reprieve," and that the word "pardon" be made to read "pardons," and that the words "commutation" in the same line be made to read "commutations."

And when so amended the bill 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. 155, a bill for an act to amend the law as it appears in Section Three Thousand Four Hundred Ninetysix (3496) of the Code, limiting the place in which actions may be brought upon contracts, beg

leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend the title to said bill by striking out the words "the law as it appears in" in the first line thereof. Also by adding after the word "section" in the first line thereof the words "Thirty-four Hundred Ninety-six."

Amend Section One (1) of said bill by striking out the words "that the law as it appears in" in the first line thereof.

That Section One (1) be further amended by striking out the letter "s" from the word "contracts" appearing in the fifth line thereof. Also by striking out the word "incorporation" appearing in the seventh line thereof, and insert in lieu thereof the word "corporation."

That Section One (1) be further amended by striking out all after the word "residence" in the last line thereof, and inserting in lieu thereof the words "of one or more of the debtors."

That Section Two (2) of said bill be stricken out.

And when so amended the bill 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. 283, a bill for an act legalizing an ordinance of the city council of the city of Red Oak Junction (now Red Oak), Iowa, passed February Fifth, A. D. Nineteen Hundred, granting to the Red Oak Gas Light Company the use of the streets of Red Oak Junction (now Red Oak), Iowa, with certain conditional rights and privileges for the purpose of erecting, purchasing, owning, and maintaining a gas works system in said city, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the 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. 281, a bill for an act to amend Section Fifty-one Hundred Sixty-eight (5168) of the Code, relating to the time of commencing criminal 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 indefinitely postponed.

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 House File No. 279, a bill for an act to repeal Section Eleven Hundred and Sixty-four (1164) of the Code, in relation to recording abstracts of votes in the office of the Secretary of State, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Jones asked that Senate File No. 30 be referred to the Committee on Appropriations, and it was so referred.

HOUSE MESSAGES CONSIDERED.

Senate File No. 184, a bill for an act to amend Section One Thousand Eight Hundred and Seventy-three (1873) of the Code, relating to publication of reports of banks.

Passed on file.

Senate File No. 195, a bill for an act amendatory of and additional to Section Nine Hundred and Twelve of the Code, in relation to the issuance of certificates or bonds in anticipation of special taxes by towns.

Passed on file.

Senate File No. 38, a bill for an act prohibiting any corporation doing business within the State or any officer, agent or representative thereof acting for such corporation, from giving or contributing any money, property, labor or thing of value, to any member of any political committee, party, or employe thereof, or to any candidate for any office for campaign expenses or political purpose whatsoever. And prohibiting any member of any political committee, party or employe thereof or any candidate for any office from soliciting, requesting or knowingly receiving any such contribution from any corporation for campaign expenses or political purpose whatsoever, and providing a penalty for the violation thereof.

Passed on file.

House File No. 345, a bill for an act to amend Section One Thousand Seven Hundred and Forty-three (1743) of the Supple-

ment to the Code, relative to the removal of goods and merchandise covered by insurance.

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

House File No. 67, a bill for an act to amend Section One Thousand Six Hundred and Seventy-five (1675) of the Supplement to the Code, relative to State aid for farmers' institutes.

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

Senator DeWolf asked unanimous consent that Senate File No. 196 be made a special order for next Wednesday at 10:30 o'clock.

Consent granted.

Senator Dowell moved that the time for adjournment be extended for the correction of the Journal.

Carried.

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

The President Pro Tem. declared the Senate adjourned until 1:30 o'clock P.M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P.M., President Pro Tem. Smith of Mitchell presiding.

PETITIONS AND MEMORIALS.

Senator McManus presented petition of citizens of Lee county, Iowa, protesting against the passage of the bill prohibiting the shooting of quail for a period of five years, and favoring the gun license law.

Referred to Committee on Fish and Game.

Senator Saunders presented petition of farmers, stock feeders and other citizens of Pottawattamie county, Iowa, in favor of the railroad speed limit bill.

Referred to Committee on Railroads.

INTRODUCTION OF BILLS.

By Senator Stookey, Senate File No. 290, a bill for an act to amend subdivision sixteen (16) of Section Six Hundred and Eighty-eight (688) of the Code, in relation to the duties of city councils,

and amending said sub-section sixteen (16), and making the same apply to cities of the second class.

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

By Senator Gale, Senate File No. 291, 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 One Thousand Six Hundred and Eleven (1611) of the Code, relating to corporations.

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

By Senator Saunders, Senate File No. 292, a bill for an act prohibiting any person from practicing law without being duly admitted, and from holding himself out as an attorney at law without first being admitted to practice law, and providing a punishment therefor.

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

Senate resumed consideration of Senate File No. 84.

Senator Dowell was called to the chair at 2 o'clock P.M.

Senator Lambert moved that further consideration of the bill be postponed and that it be made a special order for Tuesday at 10 o'clock A.M.

Senator Warren moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9:30 o'clock A.M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, SATURDAY, MARCH 9, A. D. 1907.

Senate met in regular session at 9:30 o'clock A. M., President Pro Tem, Smith of Mitchell presiding.

Prayer was offered by the Rev. N. Evans of Chariton, Iowa.

PETITIONS AND MEMORIALS.

Senator Whiting presented remonstrance of the Workingman's Building and Loan Association of Missouri Valley, Iowa, against Senate File No. 109, relative to requiring corporations to have their capital stock fully paid, in so far as it may apply to building and loan associations.

Referred to Committee on Building and Loan.

Senator McKlveen presented petition of business and professional men of Chariton, Iowa, favoring Senate File No. 86, relating to exemption of personal earnings.

Referred to Committee on Judiciary.

Senator McKlveen presented remonstrance of members of the Women's Christian Temperance Union of Russell, Iowa, against the McManus Bill, relative to the shipment of liquors

Referred to Committee on Suppression of Intemperance

Senator Crossley presented two petitions of constituents favoring the proposed measure known as the State Marshal Bill.

Referred to Committee on Appropriations.

Senator Seeley presented petition in favor of the establishment of an insurance department and an insurance commissioner.

Referred to Committee on Insurance.

Senator DeArmand presented petition of the Clinion Club of Davenport favoring the passage of the proposed Pure Drug Bill.

Referred to Committee on Pharmacy.

Senator Foley presented petition of citizens of New Hampton, Iowa, favoring the proposed establishment of a sanatorium for the treatment of incipient tuberculosis.

Referred to Committee on Appropriations.

Senator Maytag presented petition of stock raisers and shippers of Polk and Jasper counties favoring the Doran bill, relative to speed of stock trains.

Referred to Committee on Railroads.

Senator Mattes presented petition of constituents in favor of Senate File No. 285, relative to titles to real estate.

Referred to Committee on Judiciary.

Senator Kinne presented petition of constituents asking an appropriation of Twenty-five Hundred (2500) Dollars for the purpose of constructing a dam at the outlet of Silver Lake in Dickinson county, Iowa.

Referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Turner, Senate File No. 293, a bill for an act to amend Section Twenty Hundred and Twenty-two (2022), relating to cattle guards at private crossings of railways.

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

By Senator Dunham, Senate File No. 294, a bill for an act to regulate the charges for the use of seats and berths in sleeping cars on all railroads in this State and to provide penalties for the violation thereof.

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

By Senator Kimmel, Senate File No. 295, 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 punishment of unauthorized persons for hunting, pursuing, killing and taking any wild animals, birds, or game within the State, and amending Section Twenty-five Hun-

dred and 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 Kimmel, Senate File No. 296, a bill for an act amendatory of and additional to Chapter Fifteen (15) of the Code and Supplement to the Code, relative to the care and propagation of fish.

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

By Senator Hughes (by request), Senate File No. 297, a bill for an act relating to treating in the use of intoxicating liquors.

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

By Senator Lambert, Senate File No. 298, a bill for an act to make an appropriation for the removal of the remains of ex-Governor Ansel Briggs from Omaha, Neb., to Andrew, Jackson county, Iowa, and for the erection of a monument in the cemetery of that place in commemoration of his memory.

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

By Senator Crossley, Senate File No. 299, a bill for an act defining bucket shop and bucket shopping, making it a crime to maintain and operate the same and providing penalties for so doing.

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

REPORTS OF COMMITTEES.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 106, a bill for an act relating to fish and game, and making 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 same be amended by striking out in Section One (1), lines seven and eight, the words and figures "Twelve Thousand (\$12,000.00) Dollars" and inserting in lieu thereof the words and figures "Ten Thousand (\$10,000.00) Dollars"; and that it also be amended by striking out in same section, line ten, the words and figures "Three Thousand (\$3,000.00) Dollars" and inserting in lieu there-

of the words and figures "Two Thousand Five Hundred (\$2,500.00) Dollars," and when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Whipple, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 219, a bill for an act authorizing the Executive Council to build walks and steps and make necessary repairs around the Capitol building and grounds, 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 by striking out the words and figures "Fifteen Thousand (\$15,000.00) Dollars" in the eighth line of Section One (1) and inserting in lieu thereof the words and figures "Ten Thousand (\$10,000.00) Dollars," and when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Warren, from the Committee on Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate File No. 109, a bill for an act to amend the law as it appears in Chapter One (1), Title Nine (9) of the Code of 1897, relative to corporations for pecuniary profit, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend Section One (1) by inserting a comma after the word "Iowa" and before the word "shall" in the third line and adding between said words the following: "Except building and loan associations as defined and provided for in Chapter Thirteen (13), Title Nine (9) of the Code." And when so amended that the bill do pass.

J. L. WARREN,
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. 226, a bill for an act to reimburse S. B. Humbert for services rendered as superintendent of construction of the monuments at Lookout Mountain and one at either end of Missionary Ridge, and to make an appropriation therefor, beg leave to report that they have had the same under consideration and have instructed me to report to the Senate that they regard the bill as highly meritorious and they recom-

mend that it be referred to the Committee on Appropriations for favorable consideration.

CHAS. ECKLES,
Chairman.

Adopted.

So the bill was referred to Committee on Appropriations.

Senator Whipple, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 20, a bill for an act to repeal Chapter Five (5) of Title IX (9) of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Section One. Line eight. Strike out the word "other" and insert in lieu thereof the word "similar."

Line eight. Insert between the two words "associations," the words "authorized to do business in this State."

Add to the bottom of said Section One (1), the following paragraph:

"Risks or hazards above mentioned shall be classified as follows:

"1. Fire and lightning.

"2. Tornadoes, cyclones and windstorms.

"3. Hailstorms.

"4. Plate glass."

Section Three. Strike out lines one, two and three, and the first six words in line four, to and including the word "received," and insert in lieu thereof the following:

SEC. 3. No state mutual assessment association shall issue any policies until at least one hundred and twenty-five (125) applications have been received in any class as shown by Section One (1) hereof, representing the following amount of insurance: Classes one, two and three, two hundred and fifty thousand dollars (\$250,000) each; class four, one hundred thousand dollars (\$100,000).

Section Four. Strike out line numbered sixteen and insert the following in its place:

16. Amount and number of claims reported but not adjusted.

Strike from the line numbered seventeen the word "losses" and insert the word "claims" in its place.

Strike out the entire line numbered twenty-two and insert the following in its place:

22. The amount of cash in hands of agents and course of transmission.

Section Seven. Add to line six after the word "No" the words "state mutual."

Add to last line of Section Seven (7), after the word "advance," the words "where such assessment exceeds three (3) mills on each dollar of insurance in force."

Transpose Sections Seven (7) and Eight (8), numbering the present Section Seven (7) as Section Eight (8), and the present Section Eight (8) as Section Seven (7).

Section Nine. Amend line two, by inserting after the word "chapter," the words, "except such associations as confine their business exclusively to dwelling houses and farm buildings."

Amend line six by inserting after the words "forty per cent," the words "but not to exceed fifty (50) per cent."

Section Twelve. Strike out the word "opinion" from line two, and substitute therefor the word "ascertain."

Strike from line twenty-three the words "two hundred and fifty thousand dollars (\$250,000)" and insert in lieu thereof the words "the amount required by Section Three (3) hereof."

Section 13. Substitute the following for Section Thirteen (13):

SEC. 13. Any policy of insurance issued by an association operating under the provisions of this act all obligations to the association having giving five (5) days' written notice thereof to the insured, or if the insured shall demand in writing or in person, of the association, the cancellation of his policy, the association shall immediately advise him, by letter to address named, the amount, if any, as his pro rata share of losses and expenses incurred since date of his policy. Upon surrender of his policy and payment of all sums due, his membership shall cease, provided, that during the months of June, July and August, hail insurance policies may be cancelled only at the option of the officers of the association carrying the risk.

Upon expiration or cancellation of any policy of insurance issued under the provisions of this act, all obligations to the association having been paid, the member shall be entitled to, and shall be paid by the association, a sum equal to at least seventy-five (75) per cent of the unexpended portion of the amount contributed by him to the reinsurance reserve.

Strike from the bill, wherever it occurs, the words "insurance department" and substitute therefor the words "State Auditor," and in conformity with this provision, change the word "it" to "his" in line two of Section Five (5).

And when so amended the bill do pass.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

Senator Ericson, from the Committee on Constitutional Amendments and Suffrage, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Joint Resolution No. 3, resolution proposing amendments to the Constitution of Iowa, relative to suffrage, and to provide for its reference and 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. J. A. ERICSON,
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. 288, a bill for an act to amend Chapter One Hundred Fifty-two (152) of the acts of the Thirty-first General Assembly, relating to limitations for the commencement of actions and relating to real property, additional to Chapter Two (2), Title Eighteen (18) 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.

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. 290, a bill for an act to amend subdivision Sixteen (16) of Section Six Hundred and Sixty-eight (668) of the Code, in relation to the duties of city council, and amending said subsection Sixteen (16) and making the same apply to cities of the second class, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to Committee on Cities and Towns.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was referred to Committee on Cities and Towns.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 292, a bill for an act prohibiting any person from practicing law without being duly admitted, and from holding himself out as an attorney at law without first being admitted to practice law, and providing a 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.

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. 280, a bill for an act to fix the place of bringing action against municipal corporations in the State of Iowa in all counties where terms of the district court are held in more than one place, beg leave to report that they 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. 272, a bill for an act additional to and amendatory of the law as it appears in Title Fourteen (14) of the Code, relative to rights of property and the conveyance 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 Dowell, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 112, a bill for an act to amend Section Thirteen Hundred Seventy-three (1373) of the Code, relating to the correction of erroneous assessments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

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 House File No. 171, a bill for an act to amend Section Thirteen Hundred Seventy-three (1373) of the Code, relating to the correction of erroneous assessments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adopting the following substitute:

SUBSTITUTE FOR HOUSE FILE NO. 171.

A BILL for an act to amend Section Thirteen Hundred Seventy-three (1373) of the Code, relating to the correction of erroneous assessments.
Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. Section Thirteen Hundred and Seventy-three (1373) of

the Code is amended by adding thereto the following: Any county, city, town, township, or school district interested, or any officer thereof, may in like manner make complaint before said board of review in respect to the assessment of any property in the township, city, or town and appeal from the action of the board of review in fixing the amount of assessment on any property concerning which such complaint is made. Such appeal is in addition to the appeal allowed to the person whose property is assessed and shall be taken in the name of the county, city, town, township, or school district interested and tried in the same manner, except that the notice of appeal shall also be served upon the owner of the property concerning which the complaint is made and affected thereby or persons required to return said property for assessment. Upon trial of any appeal from the action of the board of review fixing the amount of assessment upon any property concerning which complaint is made, the court may increase, decrease, or affirm the amount of the assessment appealed from.

SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its passage and its publication in the Register and Leader and the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

The substitute was read first and second time and 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. 236, a bill for an act defining the relations between employer and employe, with respect to assumption of risk, and providing what shall constitute notice 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 adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 236.

A BILL for an act defining the relations between employer and employe with respect to assumption of risk, and providing what shall constitute notice thereof.

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

SECTION 1. In all cases where the property, works, machinery, or appliances of an employer are defective or out of repair and the employe has knowledge thereof, and has given written notice to the employer, or to any person authorized to receive and accept such notice, or to any person in the service of the employer and entrusted by him with the duty of seeing that the property, works, machinery, or appliances are in proper condition, of the particular defect or want of repair, or when the employer or such person has been notified in writing of such defect or want of repair by any person whose duty it is under the rules of the employer or the laws of the State to inspect such works, ma-

chinery, and appliances, or any person who is subject to the risk incident to such defect or want of repair; no employe after such notice shall, by reason of remaining in the employment with such knowledge, be deemed to have assumed the risk incident to the danger arising from such defect or want of repair.

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

The substitute was read first and second time and passed on file.

Senator Lambert asked consent to withdraw the motion made by him yesterday that Senate File No. 84 be made a special order for Tuesday at 10 o'clock A. M.

Consent granted.

Senator Crossley asked unanimous consent to have the amendment to Senate File No. 84, adopted by the Senate yesterday, changed to read as follows:

Amend Section Two (2) of the printed bill by striking out the word "three" in line eleven and inserting in lieu thereof the word "five," by striking out the words "three, for four years; three, for six years; three, for eight years; three, for ten years" in lines twelve and thirteen and inserting in lieu thereof the words, "five for four years and five for six years;" also by striking out the word "ten" in line fourteen and inserting in lieu thereof the word "six."

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 amended and passed the following bill, in which the concurrence of the House was asked:

House File No. 103, a bill for an act to amend Section Five Hundred and Ninety-one (591) of the Code, relative to compensation of township clerks.

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. 168, a bill for an act to amend the law as it appears in Section Sixty-five (65) of the Supplement to the Code and to amend Sections Eighty-eight (88), Ninety-nine (99) and One Hundred and Sixteen (116) of the Code, relating to the compensation of Secretary

to the Governor, the Deputy Secretary of State, the Deputy Auditor of State and the Deputy Treasurer 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. 260, a bill for an act to amend Section Two Thousand Six Hundred and Twenty-eight (2628) of the Code, and Section Seventeen (17), Chapter One Hundred and Twenty-two (122), laws of the Thirty-first General Assembly, relating to the support of county teachers' institutes.

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. 212, a bill for an act providing for the examining and firing of shots in mines where shooting and blasting is done, additional to Chapter Nine (9) of Title Twelve (12) of the Supplement to the Code, and to repeal Section Two Thousand Four Hundred and Ninety-five-C (2495-C) of the Supplement to the Code.

C. R. BENEDICT,
Chief Clerk.

REPORTS OF COMMITTEES.

Senator Smith of Mitchell, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 10, a bill for an act to amend the law as it appears in Section One Thousand Three Hundred and Thirty-three-D (1333-D) 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 bill herewith submitted as a substitute for Senate File No. 10 do pass.

SUBSTITUTE FOR SENATE FILE NO. 10.

A BILL for an act to amend the law as it appears in Section One Thousand Three Hundred and Thirty-three-d (1333-d), Supplement to the Code, relating to State tax on gross receipts of insurance corporations and associations.

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

SECTION 1. That the law as it appears in Section One Thousand Three Hundred and Thirty-three-d (1333-d), Supplement to the Code, be, and the same is hereby amended, by adding thereto the following: Provided that fire insurance companies organized under the provisions

of Chapter Four (4) of Title IX (9) of the Code, shall only be required to pay to the Treasurer of State a sum equivalent to one (1) per centum upon the gross receipts from premiums, assessments, fees and promissory obligations for business done within this State, including all insurance upon property situated in the State, after deducting the amount actually paid for losses on property located within the State and the amount returned upon cancelled policies and rejected applications covering property situated within this State.

JAS. A. SMITH,
Chairman.

Substitute was read first and second time and passed on file.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 260, a bill for an act to provide for the meetings of the State Poultry Association, to define and designate the officers thereof, to provide for the organization of district and county associations, and making an annual report and statements of the proceedings of the association, the printing and distribution of copies of the reports and making annual 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, but as the same provides for an appropriation, your committee recommend that the same be referred to the Appropriations Committee.

JAS. E. BRUCE,
Chairman.

Adopted.

So the bill was referred to the Committee on Appropriations.

Senate resumed consideration of Senate File No. 84.

Senator Lambert moved that the time for adjournment be extended until after a vote on the pending bill and the correction of the Journal.

Carried.

Senator Turner was called to chair at 11:45 o'clock.

President Pro Tem. Smith of Mitchell resumed the chair at 12:10 o'clock.

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

On the question "Shall the bill pass?"

The yeas were:

Senators Bruce, Burgess, Clark, Crossley, DeArmand, Dunham, Eckles, Elerick, Frudden, Hopkins, Hughes, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Newberry, Peterson, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Young—32.

The nays were:

Senators Allen, Bleakly, DeWolf, Dowell, Ericson, Foley, Gale, Gilliland, Jackson, Jamieson of Page, Jones, Moon, Nichols, Seeley, Stookey, Whiting, Wilson of Clinton—17.

Absent or not voting:

Senator Saunders—1.

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

Senator Warren moved that when the Senate adjourn it be until this afternoon at 2 o'clock.

Carried.

The President Pro Tem. declared the Senate adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Garst presiding.

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

On request of Senator Bleakly, leave of absence was granted Senator Bruce until Monday.

On request of Senator Bleakly, leave of absence was granted Senator Taylor until Monday.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Smith of Des Moines, Senate File No. 238, a bill for an act requiring any person, firm or corporation engaged in the business of making abstracts of title to furnish bond and providing punishment for making abstracts without filing such bond, with report of committee rec-

ommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

By unanimous consent, on motion of Senator Peterson, Senate File No. 206, a bill for an act to amend Sections Two (2), Four (4) and Five (5) of Chapter Fifty-three (53) of the acts of the Thirtieth General Assembly, in regard to motor vehicles, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Peterson moved the adoption of the following committee amendments:

1. That the word "ten" and figures "(10)" be stricken out in the fifth line of Section One (1) and the word "five" following by figure "(5)" be inserted in lieu thereof.

2. That the words "twenty-five" and figures "(25)" be stricken out in the seventeenth line of Section Three (3), and the word "ten" followed by figures "(10)" be inserted in lieu thereof.

Adopted.

The bill as amended was read for information.

Senator Peterson moved that the rule be suspended, 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, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, Jamieson of Page, Jamison of Clarke, Saunders, Taylor—6.

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 Gale, Senate File No. 222, a bill for an act to amend Section Four Hundred and Thirty-three (433), Title Four (4), Chapter Two (2), laws of the Thirtieth General Assembly, fixing the amount supervisors may allow for the burial of deceased soldiers, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Gale moved the adoption of the following committee amendments:

Amend the title by striking out after the comma following figure two (2) of the title, the words "Laws of the Thirtieth General Assembly," and inserting in lieu thereof "of the Code and amendatory acts thereof."

Also amend Section One (1) by striking out after the comma following figure two (2) the words "Laws of the Thirtieth General Assembly," and inserting in lieu thereof "of the Code and amendatory acts thereof."

Adopted.

The bill as amended was read for information.

Senator Gale moved that the rule be suspended, 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, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Erierson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, Jamieson of Page, Saunders, Stuckslager, Taylor—6.

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

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. 261, a bill for an act to amend Senate File No. 22, as passed by the Thirty-second General Assembly February 8, 1907, and approved February 14, 1907, providing for the investment of funds of fraternal beneficiary societies, orders or 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 do pass.

W. P. WHIPPLE,
Chairman.

Passed on file.

INTRODUCTION OF BILLS.

By Senator Nichols, Senate File No. 300, a bill for an act to amend Section Four Hundred and Forty-eight (448) of the Code, relating to borrowing money for the erection of public buildings in counties having a population of forty thousand or over.

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

By Senator Dowell, Senate File No. 301, a bill for an act to indemnify C. T. Jones for money paid out by him in contesting a civil action instituted against him by the State of Iowa.

Read first and second time and referred to Committee on Claims, and to be referred to Committee on Appropriations later.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Warren, House File No. 77, a bill for an act to prohibit the use and sale of toy pistols, firecrackers, dynamite caps and blank cartridges, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Warren moved the adoption of the following committee amendments:

Be amended in Section One (1) by striking out the period at the end of said section, and inserting in lieu thereof a semicolon and the following words:

“Provided, caps containing dynamite may be used, kept for sale or sold when needed for mining purposes or for danger signals, and for other necessary uses.”

Adopted.

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

Senator Warren moved that the vote by which the bill passed to its third reading be reconsidered.

Carried.

Senator Warren moved the adoption of the following amendment:

Amend Section Two (2) by striking out in the fourth line thereof the words "in the discretion of the court."

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frud-den, Gale, Hopkins, Hughes, Jackson, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators Bruce, Gilliland, Jamieson of Page, Jones, Saunders, Stuckslager, Taylor, Whipple—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, House Files No. 47, 81, 111, 114, 164.

By unanimous consent, on motion of Senator Gilliland, Senate File No. 249, a bill for an act to amend Section Nine Hundred and Fifty-five (955) of the Code, relating to the establishment, erection, purchase, lease, maintenance or operation of certain public utilities and the granting of franchises for the same so

as to include heating plants, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Gilliland moved that the rule be suspended, 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 Allen; Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Bruce, Dowell, Gale, Jamieson of Page, Saunders, Taylor—6.

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 Crossley, House File No. 204, a bill for an act to amend Section Seven Hundred and Seventy-six (776) of the Code, relating to the publication of notices of questions submitted to the voters of cities and incorporated towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Dunham moved the adoption of the following amendment:

Strike out the period at the end of Section One (1) and add to said section the words "and by publication for four consecutive weeks in a newspapers of general circulation in the county".

Adopted.

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

On the question, "Shall the bill pass?"

The nays were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were:

None.

Absent or not voting:

Senators Bruce, Dowell, Gale, Jamieson of Page, McManus, Saunders, Taylor—7.

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 refused to concur in Senate amendments to House File No. 42, a bill for an act to repeal Section Four Hundred Twelve (412) of the Code and to enact a substitute therefor, relating to the time of hold-meetings 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 House was asked:

Senate File No. 224, a bill for an act making an appropriation to enable the State Railroad Commission to make an investigation of railway freight rates.

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. 54, a bill for an act relating to the assignment or certificates of purchase at tax sales and providing for the issuance of duplicate certificates of purchase in case of loss or destruction of original, amending Section One Thousand Four Hundred Thirty-two (1432) of the Code, repealing Section One Thousand Four Hundred Thirty-three (1433) of the Code 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 passed the following bill, in which the concurrence of the Senate is asked:

House File No. 16, a bill for an act to amend Section One Thousand Five Hundred Twenty-eight (1528) of the Supplement to the Code, relative to road tax, the method of payment thereof, the reservation of such tax for payment of benefits assessed against townships in drainage districts, and the duties of township trustees, township clerks and 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. 73, a bill for an act to amend the law as the same appears in Section One Thousand Three Hundred and Four-A (1304-A) of the Supplement of the Code, relating to the 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. 281, a bill for an act to appropriate not to exceed \$7,500 for experiments in animal breeding and feeding.

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. 312, a bill for an act authorizing the Executive Council to build walks and steps and making necessary repairs around the Capitol building and grounds, and make 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. 1, a bill for an act to amend the law as it appears in Section Four Hundred Twenty-two (422) of the Code and Section One Thousand Six Hundred Sixty (1660) of the Code, relating to the purchase of land for county fair societies.

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. 197, a bill for an act to legalize the acts of the city of Bedford, Taylor county, Iowa, in the adoption of the "revised ordinances" of said city and establishing a permanent grade and annexation of territory thereto.

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. 2, 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 joint resolution, in which the concurrence of the Senate is asked:

House Joint Resolution No. 4, joint resolution approving estimates of cost, plans, and specifications of library building at Cedar Falls, Iowa.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Printing, to whom was referred concurrent resolution relative to publishing ten thousand (10,000) copies each of the annual reports of the Iowa State Highway Commission for the years ending July 1st, 1906, and July 1st, 1907, beg leave to report that they 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.

JOS. H. ALLEN,
Chairman.

Ordered passed on file.

HOUSE MESSAGES CONSIDERED.

House File No. 212, a bill for an act providing for the examining and firing of shots in mines where shooting and blasting is done (additional to Chapter Nine (9) of Title Twelve (12) of the Supplement to the Code) and to repeal Section Two Thousand Four Hundred Ninety-five-C (2495-C) of the Supplement to the Code.

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

House File No. 168, a bill for an act to amend the law as it appears in Section Sixty-five (65) of the Supplement to the Code and to amend Sections Eighty-eight (88), Ninety-nine (99), and One Hundred Sixteen (116) of the Code, relating to the compensation of Secretary to the Governor, the Deputy Secretary of State, the Deputy Auditor of State, and the Deputy Treasurer of State.

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

House File No. 260, a bill for an act to amend Section Two Thousand Six Hundred Twenty-eight (2628) of the Code and Section Seventeen (17), Chapter One Hundred Twenty-two (122), laws of the Thirty-first General Assembly, relating to the support of county teachers' institutes.

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

House amended and passed Senate File No. 103, a bill for an act to amend Section Five Hundred Ninety-one (591) of the Code, relative to compensation of township clerks.

Passed on file.

Senate File No. 224, a bill for an act making an appropriation to enable the State Railroad Commission to make an investigation of railway freight rates.

Passed on file.

House amended and passed Senate File No. 54, a bill for an act relating to the assignment of certificates of purchase at tax sales and providing for the issuance of duplicate certificates of purchase in case of loss or destruction of original, amending Section One Thousand Four Hundred Thirty-two (1432) of the Code, repealing Section One Thousand Four Hundred Thirty-three (1433) of the Code, and enacting a substitute therefor.

Passed on file.

House refused to concur in Senate amendments to House File No. 42, a bill for an act to repeal Section Four Hundred Twelve of the Code and to enact a substitute therefor, relating to the time of holding meetings of the Board of Supervisors.

Senator Gilliland moved that the Senate insist on the Senate amendments and ask for a conference committee.

Carried.

House File No. 16, a bill for an act to amend Section One Thousand Five Hundred Twenty-eight (1528) of the Supplement to the Code, relative to road tax, the method of payment thereof, the reservation of such tax for payment of benefits assessed against townships in drainage districts, and the duties of township trustees, township clerks, and county auditor.

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

House File No. 73, a bill for an act to amend the law as the same appears in Section One Thousand Three Hundred Four-A (1304-A) of the Supplement of the Code, relating to the exemption of property from taxation.

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

House File No. 281, a bill for an act to appropriate not to exceed \$7,500 for experiments in animal breeding and feeding.

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

House File No. 312, a bill for an act authorizing the Executive Council to build walks and steps and making necessary repairs around the Capitol building and grounds and make an appropriation therefor.

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

House File No. 1, a bill for an act to amend the law as it appears in Section Four Hundred Twenty-two (422) of the Code and Section One Thousand Six Hundred and Sixty (1660) of the Code, relating to the purchase of land for county fair societies.

Read first and second time and referred to Committee on Agriculture

House File No 197, a bill for an act to legalize the acts of the city of Bedford, Taylor county, Iowa, in the adoption of the "revised ordinances" of said city and establishing a permanent grade and annexation of territory thereto

Read first and second time and referred to Committee on Judiciary

House Joint Resolution No. 2, 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 Amendments and Suffrage.

House Joint Resolution No. 4, joint resolution approving estimates of cost, plans and specifications of library buildings at Cedar Fall, Iowa.

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

The President announced as Conference Committee on part of the Senate on House File No. 42: Senators Peterson, Dunham, Whipple and Gilliland.

Senator Frudden moved that when the Senate adjourn it be until nine o'clock A.M. Monday.

Senator Turner moved to amend by making the hour 9:30 A.M. Monday.

The President declared the amendment out of order for the reason that hour was fixed by resolution.

The motion of Senator Frudden prevailed.

REPORT OF COMMITTEE.

Senator Bleakly, 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. 218, a bill for an act to amend Section Two Thousand Seven Hundred Eighty (2780) of the Code, relative to the compensation 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 same be indefinitely postponed.

JOHN L. BLEAKLY,
Chairman.

Adopted.

So the bill was indefinitely postponed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 47, a bill for an act regulating disbursements of domestic life insurance companies.

Also:

House File No. 81, a bill for an act to amend Section Five Hundred Twenty (520) of the Code, in relation to the examination of witnesses by the Coroner, and to provide for a reporter to be appointed by the Coroner at inquests or investigations, and making provision for the payment thereof.

Also:

House File No. 111, a bill for an act to define and punish lewd, immoral, and lascivious acts and to provide penalty for the same.

Also:

House File No. 114, a bill for an act to legalize certain acknowledgments and administrations of oaths.

Also:

House File No. 164, a bill for an act to amend Section Seven Hundred (700) of the Supplement to the Code, relating to the licensing and regulation of keepers of intelligence or employment offices.

W. B. SEELEY,
Chairman Senate Committee,
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

The Journal of yesterday was taken up, corrected and approved.
Senator Dowell moved that the Senate do now adjourn.

Carried.

The President declared the Senate adjourned until nine o'clock
A.M. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, MARCH 11, A. D. 1907.

Senate met in regular session at 9 o'clock A. M., President Garst presiding.

Prayer was offered by the Rev. C. L. Dean of Woodward, Iowa.

LEAVE OF ABSENCE GRANTED.

On request of Senator Maytag, leave of absence was granted Senator Mattes until Tuesday.

PETITIONS AND MEMORIALS.

President Garst presented remonstrance of residents of Ottumwa against the McManus bill, relative to shipment of intoxicating liquors within the State.

Referred to Committee on Suppression of Intemperance.

President Garst presented petition of retail grocers of Atalissa, Iowa, asking an extension of the exemption period of the pure food law so far as it applies to canned corn and peas.

Referred to Committee on Appropriations.

Senator Peterson presented petition of citizens of Stratford and vicinity favoring the establishment of branches of the College of Agriculture and Mechanic Arts.

Referred to Committee on Appropriations.

REPORTS OF COMMITTEE.

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. 52, a bill for an act regulating the

disposition of certain intoxicating liquors, 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 statement that the bill involves certain legal questions which should have the consideration of the Judiciary Committee, and recommend that the bill be referred to that committee.

GEO. W. DUNHAM,
Chairman.

Adopted.

So the bill was referred to the Committee on Judiciary.

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. 51, a bill for an act to prescribe the duties of express companies, 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 statement that the bill covers legal propositions which should have the consideration of the Judiciary Committee, and recommend that it be referred to that committee.

GEO. W. DUNHAM,
Chairman.

Adopted.

So the bill was referred to the Committee on Judiciary.

Senator Ericson asked unanimous consent that Senate File No. 203 be made a special order for Wednesday, March 13th, to follow the special order set for that day.

Consent granted.

REPORT OF COMMITTEE.

Senator McKlveen, from the Committee on Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Pharmacy, to whom was referred Senate File No. 31, a bill for an act to prevent the adulteration, misbranding and imitation of drugs; and repealing Sections Four Thousand Nine Hundred and Eighty-three (4983), Four Thousand Nine Hundred and Eighty-five (4985), Four Thousand Nine Hundred and Eighty-six (4986) and Four Thousand Nine Hundred and Eighty-eight (4988) of the Code; and vesting the execution and enforcement of this act in the State 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 be amended by adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 31.

A BILL for an act to prevent the adulteration, misbranding and imitation of drugs; and repealing Sections Four Thousand Nine Hundred and Eighty-three (4983), Four Thousand Nine Hundred and Eighty-five (4985), Four Thousand Nine Hundred and Eighty-six (4986) and Four Thousand Nine Hundred and Eighty-eight (4988) of the Code, and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.

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

SECTION 1. 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 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 drug 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 drugs, where the same were received by said carrier for transportation in the ordinary course of its business and without actual knowledge of the adulteration or misbranding thereof.

SEC. 2. The term "drug," as used in this act, shall include all medicines and preparations recognized in the United States Pharmacopoeia or National Formulary for internal or external use, and any substance or mixture of substances intended to be used for the cure, mitigation or prevention of disease of either man or other animals, or for the destruction of parasites.

SEC. 3. For the purposes of this act, a drug shall be deemed to be adulterated:

First. When a drug is sold under or by a name recognized in the United States Pharmacopoeia or National Formulary, it differs from the standard of strength, quality or purity as determined by the test laid down in the United States Pharmacopoeia or National Formulary official at the time of investigation; provided, that no drug defined in the United States Pharmacopoeia or National Formulary shall be deemed to be adulterated under this provision if the standard of strength, quality or purity be plainly stated upon the bottle, box or other container thereof although the standard may differ from that determined by the test laid down in the United States Pharmacopoeia or National Formulary.

Second. If its strength or purity fall below the professed standard or quality under which it is sold.

SEC. 4. The term "misbranded," as herein used, shall apply to all drugs the package or label of which shall bear any statement, design or device regarding such article or the ingredients or substances contained therein, which shall be false or misleading in any particular and to any drug which is falsely branded as to state, country or territory in which it is manufactured or produced.

For the purposes of this act, a drug shall also be deemed to be misbranded:

First. If it be an imitation of or offered for sale under the name of another article.

Second. If the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package, or if the package shall fail to bear a statement on the label showing the name and the exact quantity or proportion of any alcohol, morphine, opium, heroin, chloroform, cannabis indica, chloral hydrate, acetanilide, or any derivative or preparation of any such substances contained therein. The statement herein required shall be plainly printed upon the outside wrapper and also upon a label affixed to the package in type "eight point caps;" provided, that in case the size of the package will not permit the use of eight point caps, the size of the type may be reduced proportionately. There shall be such a contrast between the color of the label and the color of the ink used in printing the label heretofore required, that the printing thereon shall be easily and plainly legible.

SEC. 5. No person, firm or corporation shall sell, offer, or expose for sale, or have in his possession, any preparation or product intended for use of man or domestic animals, either for internal or external use, or for cosmetic purposes, or for inhalation, or for perfumes, which contains methyl (wood) alcohol, crude or refined, or denatured alcohol.

SEC. 6. 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 this State and to all interested persons.

SEC. 7. It is hereby made the duty of the State Food and Dairy Commissioner to enforce the provisions of this act. The inspectors, assistants and chemists appointed by the State Food and Dairy Commissioner shall perform the same duties and have the same authority under this act as are prescribed by Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly.

SEC. 8. Any person, firm or 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 said State Food and Dairy 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. 9. All goods purchased or received by either wholesale or retail dealers of this State prior to July first, nineteen hundred and seven (1907) shall be exempt from the provisions of this act to January first, nineteen hundred and eight (1908). The having in possession by any person who manufactures or exposes for sale, any adulterated or misbranded drug, within the meaning of this act, shall be prima facie evidence of having in possession with intent to sell in violation of its provisions; 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. 10. Sections Four Thousand Nine Hundred and Eighty-three (4983), Four Thousand Nine Hundred and Eighty-five (4985), Four Thousand Nine Hundred and Eighty-six (4986) and Four Thousand Nine Hundred and Eighty-eight (4988) of the Code are hereby repealed.

And when so amended the bill do pass.

J. A. MCKLVEEN,
Chairman.

The substitute was read first and second time and passed on file.

INTRODUCTION OF BILLS.

By Senator Crossley, Senate File No. 302, a bill for an act to amend Section Twenty-eight Hundred and Thirty-three-f (2833-f) of the Supplement to the Code, relative to the enforcement of the law for compulsory attendance.

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

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. 197, a bill for an act to legalize the acts of the city council of Bedford, Taylor county, Iowa, in the adoption of the "revised ordinances" of said city and establishing a permanent grade and annexation of territory 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 recommendaion that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Saunders, House File No. 41, a bill for an act to provide for the payment by counties of a bounty for the destruction of pocket gophers. was taken up and considered.

The motion to reconsider the vote by which the bill passed the Senate, filed by Senator Dunham on the 28th day of February, prevailed.

Senator Saunders moved to reconsider the vote by which the bill passed to its third reading.

Carried.

Senator Saunders moved the adoption of the following amendment:

Amend by striking out Section Four (4).

Adopted.

Senator Saunders moved the adoption of the following amendment to the title of said bill:

Amend by striking out the words "and authorizing the levy of a tax therefor".

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Crossley, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, McManus, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, DeArmand, DeWolf, Dowell, Jamieson of Page, Jones, Mattes, Maytag, Turner, Wilson of Fayette, Young—12.

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 McManus, Senate File No. 232, a bill for an act to regulate and fix a place of

bringing action against municipal corporations in the State of Iowa in all counties where terms of the district court are held in more than one place, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gilliland was called to the chair at 9:25 o'clock.

Senator McManus asked unanimous consent to withdraw Senate File No. 232 from further consideration.

Consent granted.

By unanimous consent, on motion of Senator McManus, House File No. 280, a bill for an act to fix the place of bringing action against municipal corporations in the State of Iowa in all counties where terms of the district court are held in more than one place, was taken up and considered.

The bill was read for information.

Senator McManus moved that the rule be suspended, the reading just had be considered its third reading, and the bill be placed on its passage.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, DeWolf, Hopkins, Jamieson of Page, Mattes, Maytag, Turner—8.

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

Senator McManus moved that Senate File No. 232, a bill for an act to regulate and fix a place of bringing action against municipal corporations in the State of Iowa in all counties where terms of the district court are held in more than one place, be indefinitely postponed, for the reason the bill was identical with House File No. 280, which had just passed the Senate.

Carried.

So the bill was indefinitely postponed.

By unanimous consent, on motion of Senator Elerick, House File No. 151, a bill for an act to prevent the desecration of Memorial Day and provide a penalty therefor, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Elerick moved the adoption of the following amendment to the amendment recommended by the committee.

I move to amend the amendment to change the words and figures "two" to the words and figures "three".

On the adoption of the amendment a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were :

Senators Allen, Bleakly, Bruce, Clark, Crossley, DeArmand, Dowell, Dunham, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jones, Kinne, McKlveen, McManus, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Stookey, Stuckslageer, Turner, Wade, Warren, Whipple, Whiting, Wilson of Clinton, Young—37.

The nays were :

Senators Burgess, Stirton—2.

Absent or not voting :

Senators—DeWolf, Eckles, Hopkins, Jamison of Clarke, Kimmel, Lambert, Mattes, Taylor, Smith of Des Moines, Smith of Mitchell—11.

So the amendment was adopted.

Senator Elerick moved the adoption of the following committee amendment :

Strike out the period after the word "day" in the fourth line of Section One (1) and insert in lieu thereof a comma and the following words, "prior to the hour of 3:00 o'clock P.M. of said day".

On the adoption of the amendment a roll call was demanded

On the question, "Shall the committee amendment be adopted?"

The yeas were:

Senators Burgess, Clark, Crossley, DeArmand, Dowell, Elerick, Ericson, Frudden, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, McManus, Maytag, Moon, Newberry, Saunders, Seeley, Smith of Mitchell, Stookey, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton—27.

The nays were:

Senators Allen, Bleakly, Bruce, Dunham, Foley, Hopkins, Kinne, McKlveen, Nichols, Peterson, Smith of Des Moines, Stirton, Stuckslager, Wade, Whiting, Young—16.

Absent or not voting:

Senators DeWolf, Eckles, Jamison of Clarke, Jones, Kimmel, Lambert, Mattes—7.

So the amendment was adopted.

Senator Jones moved the adoption of the following amendment:

Amend Section Two (2) by striking out the word "Daily" before the word "Capital" and insert in lieu thereof the words "Des Moines".

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, McKlveen, McManus, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade,

Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting.

Senators DeWolf, Eckles, Jamison of Clark, Kinne, Lambert, Mattes—6.

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 Crossley, House File No. 251, a bill for an act to legalize the incorporation of the town of Bridgewater, Iowa, the election of its officers, the passage of its ordinances and resolutions, and acts done by the city council in the adoption and enforcement of its ordinances and resolutions, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Crossley moved the adoption of the following committee amendment:

That Section One (1) of the bill be amended by striking out after the word "ordinances" in the eighth line thereof, the following words: "and in the collection of fines and licenses and taxes levied and collected by said town under, and by virtue of, its said resolutions and ordinances".

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stucks-

lager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—46.

The nays were :

None.

Absent or not voting :

Senators Dewolf, McManus, Mattes, Moon—4.

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 Stookey, Senate File No. 207, a bill for an act to empower the State Educational Board of Examiners to issue State certificates and State diplomas to graduates of higher institutions of learning, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Stookey moved the adoption of the following amendment :

Amend by striking out Section One (1) and adopting the following in lieu thereof :

SECTION 1. That the State Educational Board of Examiners may accept graduation from the regular and collegiate courses in the State University, State Normal School, and the State College of Agriculture and Mechanic Arts, and from other institutions of higher learning in the State having regular and collegiate courses of equal rank, as evidence that a teacher possesses the scholarship and professional fitness for a State certificate.

Adopted.

Senator Stookey moved the adoption of the following committee amendment :

That said bill be further amended by striking out the word "quantity", appearing in the second line of Section Two (2), and substituting therefor the word "extent".

Adopted.

Senator Stookey moved the adoption of the following committee amendment :

And further amend said section by inserting after the word "of" in the third line of said section the words "the Supplement to"; and by

striking out the word "three" in the sixth line, and inserting in lieu thereof the word "five".

Adopted.

Senator Stookey moved the adoption of the following committee amendment:

Amend by striking out the word "two", in the second line of Section Three (3), and substituting therefor the word "three".

Adopted.

Senator Stookey moved the adoption of the following committee amendment:

Amend by striking out the word "countersign", in the third and fourth lines of said section, and inserting therefor the word "renew"; and by striking out all of said section after the word "certificate", in the fourth line thereof.

Adopted.

Senator Stookey moved the adoption of the following committee amendment:

That Section Three (3) of said bill be amended by striking out the word "three", appearing in the first line, and inserting in lieu thereof the word "five".

Adopted.

Senator Crossley moved to amend the title of the bill by striking out the words "and State diplomas".

Adopted.

The bill as amended was read for information.

Senator Stookey moved that the rule be suspended, the bill be considered engrossed, and the reading just had be considered its third reading.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericsen, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jamieson of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey,

Stueckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—47.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Hopkins, Mattes—3.

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 Maytag, House File No. 192, a bill for an act making an appropriation for salary and expenses of State agents and other expenses incurred under Chapter One Hundred and Eighty-one (181) of the acts of the Thirty-first General Assembly, was taken up and considered.

Senator Maytag moved the adoption of the following committee amendment:

Amend by striking out the words and figures "eight thousand dollars (\$8,000.00)" in the fifth and sixth lines of Section One (1) and inserting in lieu thereof the words and figures "seven thousand dollars (\$7,000.00)".

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clark, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stueckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—45.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Dowell, Mattes, Stookey, Young—5.

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

President Garst resumed the chair at 10:55 o'clock.

Senator Maytag moved that Senate File No. 129, a bill for an act making an appropriation for the salary and expenses of State agents and other expenses incurred under Chapter One Hundred and Eighty-one (181) of the acts of the Thirty-first General Assembly, which is identical with House File No. 192 which just passed the Senate, be indefinitely postponed.

Carried.

So the bill was indefinitely postponed.

REPORT OF COMMITTEE.

Senator Stuckslager, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate File No. 74, a bill for an act limiting the indebtedness of state and savings banks and repealing Section Eighteen Hundred and Fifty-five (1855) 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 words "two-thirds of" in lines five and six of Section Two (2) be stricken out, and the words "an amount equal to" be inserted in lieu thereof.

That Section Three (3) of the original bill be renumbered, and become Section Four (4).

That the following be inserted as Section Three (3):

"SEC. 3. All acts or parts of acts in conflict with this act are hereby repealed".

And when so amended the bill do pass.

W. C. STUCKSLAGER,
Chairman

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 78,

a bill for an act to provide for the examination and regulation of graduate nurses. Also to regulate the practice of nursing by graduate nurses and to provide a penalty for the violation thereof.

Also:

Senate Joint Resolution No. 2, a joint resolution of the Thirty-second General Assembly of the State of Iowa, making application to the Congress of the United States to call a convention for proposing amendments to the Constitution of the United States.

Also:

Senate File No. 184, a bill for an act to amend Section Eighteen Hundred and Seventy-three (1873) of the Code, relating to publication of reports of banks.

Also:

Senate File No. 195, a bill for an act amendatory of and additional to Section Nine Hundred and Twelve (912) of the Code, in relation to the issuance of certificates or bonds in anticipation of special taxes by towns.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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 No. 2, a joint resolution of the Thirty-second General Assembly of the State of Iowa, making application to the Congress of the United States to call a convention for proposing amendments to the Constitution of the United States.

Also:

Senate File No. 78, a bill for an act to provide for examination and regulation of graduate nurses. Also to regulate the practice of nursing by graduate nurses and to provide a penalty for the violation thereof.

Also:

Senate File No. 184, a bill for an act to amend Section Eighteen Hundred and Seventy-three (1873) of the Code, relating to publication of reports of banks.

Also:

Senate File No. 195, a bill for an act amendatory of and additional to Section Nine Hundred and Twelve (912) of the Code, in relation to the

issuance of certificates or bonds in anticipation of special taxes by towns.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
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. 78, a bill for an act to provide for the examination and regulation of graduate nurses. Also to regulate the practice of nursing by graduate nurses and to provide a penalty for the violation thereof.

Also:

Senate Joint Resolution No. 2, a joint resolution of the Thirty-second General Assembly of the State of Iowa, making application to the Congress of the United States to call a convention for proposing amendments to the Constitution of the United States.

Also:

Senate File No. 184, a bill for an act to amend Section Eighteen Hundred and Seventy-three (1873) of the Code, relating to publication of reports of banks.

Also:

Senate File No. 195, a bill for an act amendatory of and additional to Section Nine Hundred and Twelve of the Code, in relation to the issuance of certificates or bonds in anticipation of special taxes by towns.

W. B. SEELEY,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Warren, Senate File No. 42, a bill for an act relating to the capital stock of insurance companies, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Warren moved that the committee substitute be substituted for the original bill.

Carried.

Senator Smith of Mitchell moved that the time for adjournment

be extended until the bill under consideration be disposed of and for the correction of the Journal.

Carried.

Senator Warren moved that the rule be suspended, 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 Allen, Burgess, Clark, Crossley, DeArmand, Dunham, Eckles, Ericson, Frudden, Hughes, Jamieson of Page, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, McManus, Newberry, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—31.

The nays were:

Senators Bleakly, Bruce, Dowell, Elerick, Foley, Hopkins, Jackson, Jones, Moon, Smith of Des Moines, Taylor, Wade, Whiting—13.

Absent or not voting:

Senators DeWolf, Gale, Gilliland, Mattes, Maytag, Nichols—6.

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 Smith of Mitchell, Senate File No. 303, a bill for an act amending Section Three Thousand Four Hundred Fifty-six (3456) and additional to Chapter Two (2) of Title Eighteen (18) of the Code, relating to limitations of actions.

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 Joint Resolution No. 2 and Senate Files No. 184, 78, 195.

REPORTS OF COMMITTEES.

Senator Whipple, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 216, a bill for an act regulating fraternal beneficiary societies, orders or associations, establishing a standard mortality table therefor, requiring adequate rates with an annual accounting and distribution, providing for valuation of certificates, designating plans of insurance and beneficiaries, and declaring any contract in conflict herewith void, beg leave to report that they have 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.

Senator Whipple, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 345, a bill for an act to amend Section Seventeen Hundred and Forty-three (1743) of the Supplement to the Code, relative to the removal of goods and merchandise covered by 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 title be amended by inserting in the first line thereof, following the word "amend", the words "the law as it appears in".

Amend line one of Section One (1) by inserting after the word "that", the words "the law as it appears in".

And when so amended the bill do pass.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate File No. 96, a bill for an act to abolish the offices of State Printer and State Binder and to provide for the State printing and binding by the competitive contract system, beg leave to report that they have 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:

COMMITTEE AMENDMENTS TO SENATE FILE NO. 96—BY LAMBERT.

(a) Strike out of line nine of Section One (1) of the printed bill, the words "and they may appoint as an assistant for the clerk", and insert in lieu thereof the words "the Secretary".

(b) Strike out all of line ten of the printed bill and the words "dollars" and the figures "(1,800)" and the words "per year, who", out of line eleven of the printed bill.

(c) Strike out, commencing with the word "but", after the semicolon, in line thirteen, the remainder of that line, all of line fourteen, all of line fifteen, all of line sixteen, all of line seventeen, and all of line eighteen of the printed bill.

(d) Insert the words "may be", between the words "and" and "let" in line twenty of the printed bill.

(e) Insert the words "if found advantageous" between the word "contracts" and the period, in line twenty-one.

(f) Strike out the word "State" in line thirty-five of the printed bill and insert in lieu thereof the words "the Executive Council".

(g) Insert after the period in line thirty-eight of the printed bill the following: "The Commission may also receive additional proposals for all classes in a single proposal from those who have filed proposals for the several classes and may award the whole work to a single contractor, if found more advantageous to the State than separate contracts".

(h) Strike out the words "Secretary of State" in line forty-two of the printed bill and insert in lieu thereof the word "Commission".

(i) Insert after the comma in line fifty-nine of the printed bill the words "unless there is a proposal for all classes lower than the aggregate of the lowest bids by classes, which is more advantageous than the several class bids, and".

(j) Strike out the words "together with the contract and all other papers relating thereto", in line eighty of the printed bill.

(k) Change the number of Section Twelve (12) to that of Fifteen (15) and strike out the word "repeal" in the second line of said section and insert the words "amended so as not to be in conflict with the provisions of this act".

(l) Insert as Section Twelve (12) the following:

"SEC. 12. Section One Hundred and Twenty (120) of the Supplement of the Code is hereby repealed".

(m) Insert as Section Thirteen (13) the following:

"SEC. 13. Section One Hundred and Twenty-one (121) of the Code is hereby repealed and the following enacted in lieu thereof, to-wit:

"SEC. 121. All claims for compensation, under contracts authorized by this act, shall be itemized as required by law and the rules of the Commission and verified by the oath of the contractor or his superintendent and filed with the Executive Council for approval. If found correct, the Executive Council shall approve and certify the same to the Auditor of State for payment; the Auditor of State shall thereupon draw his warrant upon the State treasury for all such amounts, which shall be paid out of any money, not otherwise appropriated, in the State treasury".

(n) Insert as Section Fourteen (14) the following:

"SEC. 14. The Executive Council shall compile and publish, in the biennial expense report, an itemized statement of the cost of all printing and binding, classified by departments, and the same shall be omitted by the several departments in reporting their expenses under Section

One Hundred and Thirty-three-a (153-a) of the Supplement of the Code".
And when so amended the bill be indefinitely postponed.

JOS. H. ALLEN,
Chairman.

Ordered passed on file.

Senator Bleakly moved that when the Senate adjourn it be until 1:30 o'clock P. M.

Carried.

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

Senator Young moved that the Senate do now adjourn.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P. M., President Garst presiding.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Gilliland, Senate File No. 283, a bill for an act legalizing an ordinance of the city council of the city of Red Oak Junction (now Red Oak), Iowa, passed February 5th, A. D. Nineteen Hundred, granting to the Red Oak Gas Light Company the use of the streets of Red Oak Junction, (now Red Oak), Iowa, with certain conditional rights and privileges, for the purpose of erecting, purchasing, owning and maintaining a gas works system in said city, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Gilliland moved that the rule be suspended, 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, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert,

McKlveen, McManus, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Smith of Des Moines, Stirton, Stookey, Stueckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—39.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, Crossley, DeWolf, Gale, Jackson, Jamieson of Page, Mattes, Seeley, Smith of Mitchell, Wolfe—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 Elerick, Senate File No. 103, a bill for an act to amend Section Five Hundred and Ninety-one (591) of the Code, relative to compensation of township clerks, was taken up and considered.

Senator Elerick moved that the Senate concur in the following House amendments:

Amend by striking out the period after the word "amended" and the word "strike" immediately following in the second line and inserting the words "by striking" in lieu thereof.

Also, by striking out the word "insert" in the third line and inserting the word "inserting" in lieu thereof.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Bleakly, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McManus, Maytag, Moon, Newberry, Peterson, Saunders, Smith of Des Moines, Stirton, Stookey, Stueckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—39.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, DeWolf, Gale, Jackson, McKlveen, Mattes, Nichols, Seeley, Smith of Mitchell, Wade—11.

So the Senate concurred in the House amendments.

By unanimous consent, Senate File No. 276, a bill for an act to amend the law as it appears in Section One Hundred and Thirty-six of the Supplement to the Code, fixing the manner of distribution of the report of the Academy of Science, 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, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

One the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Whipple, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators Bruce, DeWolf, Gale, Mattes, Seeley, Wade, Warren, Whiting—8.

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. 277, a bill for an act to provide for a uniform system of books, blanks, records, vouchers, etc., for use of County Auditors, County Treasurers and Clerks of the District Court, with report of committee recommending passage as amended, was taken up and considered.

The bill was ordered referred to the Committee on Appropriations.

By unanimous consent, on motion of Senator Saunders, Senate File No. 292, a bill for an act prohibiting any person from practicing law without being duly admitted, and from holding himself out as an attorney at law without first being admitted to practice law, and providing a punishment therefor, with report of committee recommending indefinite postponement, was taken up, considered and the report of the committee adopted.

So the bill was indefinitely postponed.

By unanimous consent, on motion of Senator Stirton, Senate File No. 281, a bill for an act to amend Section Fifty-one Hundred and Sixty-eight (5168) of the Code, relating to the time of commencing criminal actions, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

By unanimous consent, on motion of Senator Gilliland, Senate File No. 112, a bill for an act to amend Section One Thousand Three Hundred Seventy-three (1373) of the Code, relating to the correction of erroneous assessments, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

By unanimous consent, on motion of Senator Allen, concurrent resolution relative to publishing 10,000 copies each of the annual reports of the Iowa State Highway Commission for the years ending July 1st, 1906, and July 1st, 1907, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The concurrent resolution was read for information.

Senator Allen moved the Senate concur in the House concurrent resolution.

Carried.

By unanimous consent, on motion of Senator Jamison of Clarke, House File No. 48, a bill for an act to provide a method whereby assessment life associations may re-incorporate as legal reserve life

insurance companies, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Jamison of Clarke moved the adoption of the following committee amendment.

SEC. 4. This act, being deemed of immediate importance, shall take effect from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa.

Adopted.

The bill as amended was read for information.

Senator Dowell moved to amend the bill by striking out all of Section Three (3) and making Section Four (4) Section Three (3).

Adopted.

Further consideration of the bill was deferred.

By unanimous consent, on motion of Senator Dowell, House File No. 247, 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, considered, and the report of the committee 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 indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate File No. 107, a bill for an act to amend Section Twenty-five Hundred and Fifty-one (2551) of the Supplement to the Code, relative to the protection of game.

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. 363, a bill for an act to amend Section Thirty-one Hun-

dred and Eighty-one (3181) of the Code, relating to divorces and marriages of divorced persons.

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. 208, a bill for an act to amend Section Thirty-six (36) of the Code, relative to the publication of acts of the General Assembly.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Frudden, Senate File No. 10, a bill for an act to amend the law as it appears in Section One Thousand Three Hundred Thirty-three-d (1333-d) of the Supplement to the Code, was taken up and considered.

The substitute was read for information.

Senator Frudden moved that the committee substitute be substituted for the original bill.

Carried.

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

On question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—43.

The nays were:

None.

Absent or not voting:

Senators De Wolf, Jamieson of Page, Mattes, Maytag, Moon, Turner, Young—7.

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 Peterson, Senate File No. 37, a bill for an act amendatory of the law as it appears in Chapter Sixty-eight (68) of the Thirtieth General Assembly and amendatory acts of the Thirty-first General Assembly, relating to levees, ditches, drains, and watercourses, and amending Sections Two, (2), Thirteen (13), Fourteen (14), and repealing Sections Eighteen (18) and Nineteen (19) of said chapter and enacting a substitute for said repealed sections, was taken up and considered.

The substitute was read for information.

Senator Peterson moved that the committee substitute be substituted for the original bill.

Carried.

Senator Peterson moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—45.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Jamieson of Page, Jamison of Clark, Mattes, Young—5.

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

Senator Elerick moved that the Senate do now adjourn until 9 o'clock A. M. tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, MARCH 12, A. D. 1907.

Senate met in regular session at 9 o'clock A.M., President Garst presiding.

Prayer was offered by the Rev. H. E. Van Horn of Des Moines.

PETITIONS AND MEMORIALS.

Senator Jamison of Clarke presented petition of one hundred and eight voters of Union county asking that such legislation be had as is necessary to submit to the people a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors in the State. Also petition of one hundred and forty-five citizens of Clarke county asking the passage of such laws as are necessary to allow women the right of suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Wade presented petition of residents of Shell Rock, Iowa, favoring the measure known as the State Marshal Bill.

Referred to Committee on Appropriations.

Senator McKlveen presented petition of one hundred and seventy-two residents of Lucas county asking that the question of woman suffrage be submitted to the voters of the State.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Newberry presented petition of citizens of Clayton county asking that the question of woman suffrage be submitted to the voters of Iowa.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Kinne presented petitions of citizens of Dickinson and Kossuth counties asking that the necessary action be taken to submit to the voters of Iowa the question of woman suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Eckles presented four petitions of citizens of Marshall county asking that the necessary action be taken to submit to the voters of the State the question of woman suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Eckles presented petition of nineteen voters of Marshalltown asking that a woman's reformatory be established in some town where there is no penitentiary.

Referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Saunders, Senate File No. 304, a bill for an act authorizing the giving of pensions to disabled and retired firemen, and the widows and minor children and dependent fathers and mothers of deceased firemen in cities, incorporated towns and special charter cities having organized fire departments, creating a fund from which to pay such pensions, and providing for the distribution thereof; creating a board of trustees to care for such pension fund, and prescribing their powers and duties; and authorizing the retiring from service of firemen under certain conditions.

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

HOUSE MESSAGES CONSIDERED.

House File No. 363, a bill for an act to amend Section Three Thousand One Hundred and Eighty-one (3181) of the Code, relating to divorces and marriages of divorced persons.

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

House indefinitely postponed Senate File No. 107, a bill for an act to amend Section Two Thousand Five Hundred and Fifty-one

(2551) of the Supplement to the Code, relative to the protection of game.

Passed on file.

Senate File No. 208, a bill for an act to amend Section Thirty-six (36) of the Code, relative to the publication of acts of the General Assembly.

Passed on file.

REPORTS OF COMMITTEES.

Senator Whipple, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 267, a bill for an act to permit fraternal beneficiary societies, orders or associations to acquire and own real estate for their own use, beg leave to report that they have 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 so that the title will read as follows:

“An act permitting fraternal beneficiary societies, orders or associations to purchase and own real estate; to erect a building thereon and to occupy and rent the same”.

Amend Section One (1) of the bill by striking out of the fifth line the following “10 per cent” and by inserting in lieu thereof the words and figures “ten (10) per cent”.

Strike Section Two (2) from the bill.

And when so amended the bill do pass.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 277, a bill for an act to provide a uniform system of books, blanks, records, vouchers, etc., for use of County Auditors, County Treasurers and Clerks of the District Court, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same, as amended by the Judiciary Committee, do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 312, a bill for an act authorizing the Executive Council to build walks and steps and make necessary repairs around the Capitol building and grounds, 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 do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 30, 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, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same, as amended by the Judiciary Committee, do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 6, a bill for an act providing for the erection of a Governor's mansion, 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 indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Kinne, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 258, a bill for an act to amend Section Fifty-seven Hundred and Eight (5708) of the Code, relating to the disposal of stone at Anamosa, for the improvement and macadamizing of streets and 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.

GEO. KINNE,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Stuckslager, Senate File No. 240, a bill for an act to amend Chapter One Hundred and Thirty-two (132) of the laws of the Thirtieth General Assembly of Iowa entitled "An act prohibiting the willful taking of any electric current, gas or water from the wires, meters, pipes or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud (additional to Chapter Five (5), Title Twenty-four (24) of the Code)," by making it applicable to steam heating plants and the taking of steam or steam heat, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stuckslager moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, DeArmand, DeWolf, Dowell, Eckles, Elerick, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Kimmel, Kinne, McKlveen, McManus, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stuckslager, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Clinton—36.

The nays were:

None.

Absent or not voting:

Senators Clark, Crossley, Dunham, Ericson, Gale, Jamieson of Page, Jones, Lambert, Moon, Stirton, Stookey, Warren, Wilson of Fayette, Young—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 Jamison of Clarke, House File No. 48, a bill for an act to provide a method whereby assessment life associations may incorporate as legal reserve life insurance companies, was taken up and considered.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Senators Clark, DeArmand, Gale, Jamieson of Page, McKlveen, Moon, Stirton, Stuckslager, Warren, Young—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 Whiting, Senate File No. 305, a bill for an act to amend Section Two Thousand One Hundred and Sixteen (2116) of the Code, relating to railroads.

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

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Allen, Senate File No. 100, 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, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Dowell was called to the chair at 9:25 o'clock.

Senator Allen moved the adoption of the following committee amendments:

That Section One (1) be amended by inserting after the figure one (1), and preceding the word "the" in the first line thereof the following: "That Section Fifteen Hundred and Thirty (1530) of the Code is hereby repealed and the following enacted in lieu thereof".

Further amend by striking out all of Section Two (2), publication clause.

Adopted.

The bill as amended was read for information.

The bill was passed and retained its place on the Calendar.

By unanimous consent, on motion of Senator Gilliland, Senate File No. 152, a bill for an act to repeal Sections Twenty-eight Hundred and Fifty-five (2855) of the Code Supplement and Twenty-eight Hundred and Nine (2809) of the Code and to enact substitutes therefor, and to amend Sections Twenty-eight Hundred and Eight (2808) of the Code Supplement and Twenty-eight Hundred and Fifty (2850) of the Code, relating to the handling of the principal and interest of the permanent school fund, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Gilliland moved the adoption of the following committee amendment:

Amend by striking out all of Section One (1) after the word "thereof" in the fourth line of said section and substituting the following in lieu thereof:

When lands have been bid in by the county for the State under foreclosure of school fund mortgages and the time for redemption has expired a Sheriff's deed shall be issued to the State for the use and benefit of the permanent school fund. The County Auditor shall thereupon notify the Auditor of State, who shall give the county credit for the amount of principal in the original notes remaining unpaid. All lands hereafter acquired by the State under foreclosure proceedings shall be re-sold within two years from date of foreclosure and all such lands heretofore acquired shall be re-sold on or before January 1, 1909. Such lands shall be appraised, advertised, and sold in the manner provided for the appraisal, advertisement, and sale of the sixteenth section or lands selected in lieu thereof. When a re-sale is made the County Auditor shall notify the Auditor of State, who shall thereupon charge the county with the full amount of the re-sale, except that when the lands are sold for more than the unpaid portion of the principal, the excess shall be applied to

reimburse the county for the costs of foreclosure and the interest paid by the county to the State by reason of default of payment of same by the makers of the notes, previous to the time when the right of redemption has expired, not, however, to exceed three years. Any excess over and above the amount of the unpaid portion of the principal, costs of foreclosure, and interest on the principal as above provided, shall inure to the State and be credited to the permanent school fund account. If the lands shall be sold for a less amount than the unpaid portion of the principal, the loss shall be sustained by the county and the Board of Supervisors shall at once order the amount of such loss transferred from the general fund of the county to the permanent school fund account. County Auditors shall, on or before the first day of January of each year, report to the Auditor of State the amount of all sales and re-sales made during the year previous, of the sixteenth section, five hundred thousand acres grant, escheat estates, and lands taken under foreclosure of school fund mortgages, and the Auditor of State shall charge the same to the counties with interest from the date of such sale or re-sale to January first, at the rate of four and one-half ($4\frac{1}{2}$) per cent per annum. The Auditor of State shall, also, on the first day of January, charge to each county having permanent school funds under its control, interest thereon at the rate of four and one-half ($4\frac{1}{2}$) per cent per annum for the preceding year, or such part thereof as such funds shall have been in the control of the county, which shall be taken as the whole amount of interest due from each county. All interest collected above the four and one-half ($4\frac{1}{2}$) per cent charged by the State shall be transferred to the general county fund. If any county fails or refuses to collect the amount of interest due the State, the deficiency shall be paid to the State from the general county fund. Any county delinquent in the payment of interest due the State shall be charged one (1) per cent per month on the amount delinquent until paid. County Auditors shall, upon the first day of January of each year, report to the Auditor of State the amount of rents collected during the preceding year on unsold school lands and lands taken under foreclosure of school fund mortgages then in the hands of the County Treasurer, and the Auditor of State shall include the amount so reported in his semi-annual apportionment of interest.

And when so amended the bill do pass.

Adopted.

The bill as amended was read for information.

Senator Gilliland moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frud-

den, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—44.

The nays were:

None.

Absent or not voting:

Senators Clark, Jamieson of Page, McKlveen, McManus, Stuckslager, Young—6.

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, House File No. 150, a bill for an act to amend Section Four Hundred and Thirty-two (432) of the Code, pertaining to meetings of the Soldiers' Relief Commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Saunders moved that the rule be suspended, the reading just had be considered its third reading and the bill placed on its passage.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericsen, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators Clark, Jamieson of Page, McKlveen, Nichols, Whipple—5.

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

Senator Newberry moved that Senate File No. 47, referred to Committee on Compensation of Public Officers and reported for indefinite postponement, be referred to Committee on Appropriations.

Senator Gilliland moved as a substitute for the motion of Senator Newberry that the report of the committee recommending indefinite postponement of Senate File No. 47, a bill for an act to amend the law as it appears in Chapter Eighty-eight (88), laws of the Thirtieth General Assembly, relating to compensation of Deputy and Assistant Dairy Commissioners, be adopted.

By unanimous consent the amendment and the motion was withdrawn, and the bill retained its place on the Calendar.

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. 128, a bill for an act to amend Sections Twenty-five Hundred and Twenty-nine (2529), Twenty-five Hundred and Thirty (2530) and Twenty-five Hundred and Thirty-four (2534) of the Code, and to repeal and enact substitutes for Sections Twenty-five Hundred and Thirty-three (2533) and Twenty-five Hundred and 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 amended and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 55, a bill for an act to prohibit and regulate hospitals, institutions and places created for or maintained and used as lying-in or maternity hospitals, or hospitals 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 indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate File No. 79, a bill for an act to amend Section Thirty-six Hundred and Eighty-eight (3688) of the Code, relating to challenge of jurors for cause.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Newberry, Senate File No. 204, a bill for an act to amend the law as it appears in Section Two Thousand Five Hundred and Ninety-six-a (2596-a) of the Supplement to the Code, in relation to the sale of cocaine, and restricting the sale of certain other drugs, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Newberry moved the adoption of the following amendment:

Amend by adding the following to Section One (1): "Provided, that nothing in this act shall prevent the sale thereof to a wholesale or retail dealer in drugs, nor to a registered physician or veterinarian or licensed dentist".

Adopted.

The bill as amended was read for information.

Senator Newberry moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Young—46.

The nays were:

None.

Absent or not voting:

Senators Jamieson of Page, Nichols, Taylor, Wilson of Clinton
—4.

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

The time having arrived, Senate File No. 280, 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, and repealing Chapter Forty (40), laws of the Thirtieth General Assembly, and Chapters Forty-five (45) and Forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections, was taken up and considered.

Senator Crossley moved the adoption of the following amendment:

Amend Section Six (6) by adding at the end thereof the following: "If any primary elector write upon his ticket the name of any person who is a candidate for the same office upon some other party ticket than that upon which his name shall be written, such ballot shall be so counted for such person only as a candidate of the party upon whose ballot his name is written, and shall in no case be counted for such person as a candidate upon any other ticket. In case the person is nominated upon more than one ticket, he shall forthwith file with the proper officer a written declaration indicating the party designation under which his name is to be printed on the official ballot for the general election following such primary election".

Adopted.

Senator Crossley moved the adoption of the following amendment:

Amend Section Thirteen (13) by striking out in line one thereof the words "and every".

Adopted.

Senator Crossley moved the adoption of the following amendment:

Amend Section Fourteen (14) by inserting after the square and the name J. R. Wayne in the thirteenth line thereof, after the square and the name William Longley in the seventeenth line, after the square and the name James Harlan in the twenty-third line, after the square and the name Robert Thompson in the twenty-seventh line after the square and the name Joseph Raymond in the thirty-ninth line, and after the square and the name H. S. Wilson in the forty-fourth line, a square and a blank space indicated by a dotted line, in each of the above designated places; also by striking out the square and the blank space in the forty-ninth line of said section.

Adopted.

Senator Crossley moved the adoption of the following amendment:

Amend Section Sixteen (16) by inserting after the word "ticket" in line eight thereof the word "voted".

Adopted.

Senator Crossley moved the adoption of the following amendment:

Amend Section Nineteen (19) by striking out the word "for" in line eight and inserting in lieu thereof the words "or candidates of".

Adopted.

Senator Crossley moved the adoption of the following amendment:

Amend Section Twenty-five (25) by striking out of line thirty-three in the printed bill the words "from among the delegates elected to said county convention".

On the adoption of the amendment a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Allen, Bruce, Burgess, Clark, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Hopkins, Hughes, Kimmel, Kinne, McIlveen, Mattes, Maytag, Newberry, Peterson, Saunders, Seeley, Smith of Mitchell, Stookey, Turner, Warren, Whipple, Wilson of Fayette, Young—28.

The nays were:

Senators Bleakly, DeWolf, Foley, Gale, Gilliland, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Moon, Nichols, Smith of Des Moines, Stirton, Stuckslager, Wade, Whiting—16.

Absent or not voting :

Senators DeArmand, Frudden, Lambert, McManus, Taylor, Wilson of Clinton—6.

So the amendment was adopted.

Senator Crossley moved the adoption of the following amendment :

Also amend Section Twenty-five (25) by striking out of lines thirty-six and thirty-seven of the printed bill the word and figures "twenty-five (25)" and inserting in lieu thereof the word and figures "twenty-six (26)".

Adopted.

Senator Dunham submitted the following amendment, which was laid over :

Move to amend Section Twenty-two (22) by striking therefrom that part of said section beginning with and including the word "such" in the ninth line to and including the word "State" last appearing in eleventh line, and inserting in lieu thereof the following: "Such canvass and certificate shall be final as to all candidates named therein receiving a majority of all the votes of his party and the candidate of each political party for each office having received the majority of the votes of his party in the State or district of the State".

Seantor DeArmand moved that the further consideration of this bill be postponed until Monday, March 18, at 10:30 o'clock A.M.

Senator Warren moved as a substitute for the former motion that Senate File No. 280 be made a special order for Thursday, March 14, at 10 o'clock A.M.

Senator Frudden moved the previous question.

Carried.

On the adoption of the substitution motion, a roll call was demanded.

On the question, "Shall the motion prevail?"

The yeas were :

Senators Allen, Burgess, Clark, Crossley, Ericson, Hughes, Kimmel, Kinne, Mattes, Maytag, Newberry, Seeley, Smith of Mitchell, Stirton, Turner, Warren, Wilson of Fayette, Young—18.

The nays were :

Senators Bleakly, DeArmand, DeWolf, Dowell, Dunham, Eckles,

Elerick, Foley, Frudden, Gale, Gilliland, Jackson, Jamieson of Page, Jaimson of Clarke, Jones, Lambert, McKlveen, McManus, Moon, Nichols, Peterson, Saunders, Smith of Des Moines, Stookey, Stuckslager, Taylor, Wade, Whipple, Whiting, Wilson of Clinton—30.

Absent or not voting:

Senators Bruce, Hopkins—2.

So the substitute was lost.

On the adoption of the original motion a roll call was demanded.

On the question, "Shall the motion prevail?"

The yeas were:

Senators Bleakly, DeArmand, DeWolf, Dowell, Dunham, Elerick, Foley, Frudden, Gale, Gilliland, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Lambert, McKlveen, McManus, Moon, Newberry, Nichols, Saunders, Smith of Des Moines, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Clinton—30.

The nays were:

Senators Allen, Burgess, Clark, Crossley, Eckles, Ericson, Hopkins, Hughes, Kimmel, Kinne, Mattes, Maytag, Peterson, Seeley, Smith of Mitchell, Stirton, Turner, Wilson of Fayette, Young—19.

Absent or not voting:

Senator Bruce—1.

So the motion prevailed.

REPORTS OF COMMITTEE.

Senator Gilliland, 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. 227, a bill for an act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which now have or may have hereafter a population of fifty thousand (50,000) inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a nuisance, and to pro-

vide penalties for the violation and enforcement 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 as follows:

Amend the title by striking from the second, third and fourth lines thereof the words and figures "which now have or may have hereafter a population of fifty thousand (50,000) inhabitants" and inserting in lieu thereof the words and figures "of the first class or special charter cities having twenty thousand (20,000) or more inhabitants".

Amend Section One (1) by striking out the first sentence thereof, following the word and figure "Section 1" and inserting the following in lieu thereof: "The emission or discharge into the open air of dense smoke within the corporate limits of cities of this State of the first class or special charter cities having twenty thousand (20,000) or more inhabitants, is hereby declared a nuisance".

And when so amended the bill do pass.

SHIRLEY GILLILLAND,

Chairman.

Ordered passed on file.

Senator Gilliland, 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. 290, a bill for an act to amend sub-division sixteen of Section Six Hundred and Sixty-eight (668) of the Code, in relation to the duties of city council and amending said sub-Section Sixteen (16) and making the same apply to cities of the second class, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

SHIRLEY GILLILLAND,

Chairman.

Ordered passed on file.

Senator Gilliland, 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. 111, a bill for an act relating to the organization and officers of cities and towns, amending Chapter Two (2), Title Five (5) of the Code, and of the law 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 amended as follows:

Amend Section Four (4) by striking out the word "and" following the word "auditor" in the fourth line and inserting after the word "auditor" a comma; also by striking out the period after the word "assessor" in the fourth line of said section, inserting a comma in lieu thereof, and adding thereto the following: "and in cities where there is no superior court a police judge".

Amend sub-Section Two (2) of Section Eight (8) by striking out the

comma after the word "commissioner" in the second line thereof, and also by striking out from the second and third lines thereof the words "where there is no superior court, a police judge".

Amend by inserting after Section Twelve (12) the following sections:

SEC. 13. In any city having a population of thirty thousand (30,000) or more the council may, by ordinance, establish a board of public works and in cities having a population of fifty thousand (50,000) or more, there is hereby created a board of public works. Such board of public works shall consist of two members residents of the city, to be appointed by the mayor, and upon the establishment of said board one member shall be appointed for two years, and one for three years, and their successors shall be appointed for three years. The members shall hold office until their successors are appointed and qualified. The mayor shall have the power to remove any member of the board of public works for cause at any time. Vacancies shall be filled by the mayor. No member of the council or city official shall be a member of such board. The provisions of this section shall not affect the terms of those now constituting the board of public works in those cities in which a board of public works has heretofore been established by ordinance, but the successors to such members shall be appointed under the provisions of this act.

SEC. 14. Section Eight Hundred and Sixty-five (865) of the Code is hereby repealed and the following enacted in lieu thereof:

The board shall consult the city engineer regarding the plans and specifications and the advisability of doing or making contemplated improvements or work, and he shall, from time to time, furnish it with estimates of the cost of material and plans and specifications for any work to be ordered or advertised to be done, and report to the board whether such improvement or work is made and completed according to contract. Whenever the members of the board of public works are unable to agree upon any matter which is before it for decision, including the appointing of agents and employes, the city engineer shall decide such matter or appointment, and his decision shall be the decision of the board of public works. Such decision shall be rendered in writing and shall be filed in the office of the board of public works, and when so filed shall have the force and effect of a finding or determination by the board of public works.

SEC. 15. Section Eight Hundred and Sixty-seven (867) of the Code is hereby amended by striking out all of such section after the word "used" in the twelfth line thereof.

SEC. 16. Section Eight Hundred and Seventy-one (871) of the Code is hereby amended by adding thereto the following:

No claim for any work done or material furnished in the construction of any public improvement shall be allowed by the council unless the same has first been approved by the board of public works.

SEC. 17. Section Eight Hundred and Seventy-three (873) of the Code is hereby amended by striking out the words "subject to the approval of the council" in the second line thereof, and by striking out all of the said section after the word "work" in the third line thereof.

Amend by changing the numbers of Sections Thirteen (13, Fourteen

(14), Fifteen (15) and Sixteen (16) thereof to Eighteen (18), Nineteen (19), Twenty (20) and Twenty-one (21), respectively.

And when so amended the bill do pass.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

Senator Gilliland, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 156, a bill for an act to amend Section Seven Hundred and Seventy-one (771) of the Code Supplement and Section One (1), Chapter Twenty-nine (29) of the Acts of the Thirtieth General Assembly, relating to the construction of viaducts, beg leave to report that they have 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 word "twenty-five" in the twelfth line of Section One (1) and inserting in lieu thereof the word "twelve".

Also by striking out the word "twenty-five" in the fourth and fifth lines of Section Two (2) and inserting in lieu thereof the word "twelve".

Also by striking from the second line of the title the words: "Code Supplement" and inserting in lieu thereof the words: "law as it appears in the Supplement to the Code".

And when so amended the bill do pass.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

Senator Lambert moved that the time for adjournment be extended for the correction of the Journal.

Carried.

Senator Lambert moved that when the Senate adjourn it be until 1:30 o'clock P.M.

Carried.

Senator Jones moved that House File No. 363 be recalled from the Committee on Judiciary and be placed on the Calendar.

Carried.

INTRODUCTION OF BILLS.

By Senator Gilliland, Senate File No. 306, a bill for an act to amend Section Thirteen Hundred and Four (1304) of the Code, relating to exemptions from taxation.

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

HOUSE MESSAGES CONSIDERED.

House amended and passed Senate File No. 55, a bill for an act to prohibit and regulate hospitals, institutions and places created for or maintained and used as lying-in or maternity hospitals, or hospitals or places for the reception, care and treatment of women in labor.

Passed on file.

House File No. 128, a bill for an act to amend Sections Twenty-five Hundred and Twenty-nine (2529), Twenty-five Hundred and Thirty (2530) and Twenty-five Hundred and Thirty-four (2534) of the Code, and to repeal and enact substitutes for Sections Twenty-five Hundred and Thirty-three (2533) and Twenty-five Hundred and Thirty-eight (2538) thereof, relating to the State Veterinary Surgeon.

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

House indefinitely postponed Senate File No. 79, a bill for an act to amend Section Thirty-six Hundred and Eighty-eight (3688) of the Code, relating to challenge of jurors for cause.

Passed on file.

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

Senator Smith of Des Moines moved that the Senate do now adjourn.

Carried.

Senate adjourned until 1:30 o'clock P.M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P.M., President Garst presiding.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator McManus, Senate File No. 165, a bill for an act to amend Section Twenty-four Hundred and Fifty-six (2456) of the Code, relating to the manufacture, transportation and sale of intoxicating liquors, 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 bill be referred to the Committee on Judiciary.

On the motion a roll call was demanded.

On the question, "Shall the bill be referred to the Committee on Judiciary?"

The yeas were:

Senators Allen, Clark, Crossley, Eckles, Ericson, Gale, Gilliland, Hopkins, Nichols, Peterson, Smith of Mitchell, Turner, Warren, Whiting, Wilson of Fayette, Young—16.

The nays were:

Senators Bleakly, Burgess, DeArmand, Dowell, Elerick, Foley, Frudden, Hughes, Jackson, Jamison of Clarke, Lambert, McManus, Mattes, Moon, Seeley, Smith of Des Moines, Stookey, Stuckslager, Wade, Wilson of Clinton—20.

Absent or not voting:

Senators Bruce, DeWolf, Dunham, Jamieson of Page, Jones, Kimmel, Kinne, McKlveen, Maytag, Newberry, Saunders, Stirton, Taylor, Whipple—14.

So the motion was lost.

Senator Peterson moved that the bill be made a special order to follow the special order set for Monday, March 18, at 10:00 o'clock A.M.

On the motion a roll call was demanded.

On the question, "Shall the motion prevail?"

The yeas were:

Senators Allen, Clark, Crossley, Eckles, Ericson, Gilliland.

Mattes, Peterson, Smith of Mitchell, Warren, Wilson of Fayette, Young—12.

The nays were :

Senators Bleakly, Burgess, DeArmand, Dowell, Dunham, Elerick, Foley, Frudden, Gale, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Lambert, McManus, Moon, Newberry, Nichols, Seeley, Smith of Des Moines, Stookey, Stuckslager, Wade, Whipple, Whiting, Wilson o Clinton—26.

Absent or not voting :

Senators Bruce, DeWolf, Hopkins, Jones, Kimmel, Kinne, McKlveen, Maytag, Saunders, Stirton, Taylor, Turner—12.

So the motion was lost.

Senator Lambert moved the previous question on the bill.

Carried.

Senator McManus moved that the rule be suspended, 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 DeArmand, DeWolf, Dowell, Foley, Frudden, Hughes, Jackson, Lambert, McManus, Mattes, Moon, Smith of Des Moines, Stirton, Wade, Wilson of Clinton—15.

The nays were :

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, Dunham, Eckles, Elerick, Ericson, Gilliland, Hopkins, Jamieson of Page, Jamison of Clarke, Kinne, McKlveen, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stookey, Stuckslager, Turner, Warren, Whipple, Whiting, Young—30.

Absent or not voting :

Senators Gale, Jones, Kimmel, Taylor, Wilson of Fayette—5.

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 Senate is asked:

House File No. 348, a bill for an act to amend the law as it appears in Section Twenty-six Hundred and Eight (2608) of the Supplement to the Code, relating 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 amendments to the following bill, in which the concurrence of the House was asked:

House File No. 50, a bill for an act relating to rates of fraternal beneficiary societies.

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. 283, a bill for an act legalizing an ordinance of the city council of the city of Red Oak Junction (now Red Oak), Iowa, passed February 5th, 1900, granting to the Red Oak Gas Light Company the use of the streets of Red Oak Junction (now Red Oak), Iowa, with certain conditional rights and privileges, for the purpose of erecting, purchasing, owning and maintaining a gas works system 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. 379, a bill for an act to prohibit common carriers of passengers from issuing, furnishing or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act, also for annual reports and for the repeal of Chapter Ninety (90), laws of the Thirty-first General Assembly.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Young, Senate File No. 307, a bill for an act to amend Sections Three (3) and Six (6) of Chapter Eighty-seven (87) of the Acts of the Thirtieth General Assembly, in relation to the inspection of petroleum products.

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

Senator Hopkins moved that the Senate do now adjourn until 9:00 o'clock A.M. tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, MARCH 13, A. D. 1907.

Senate met in regular session at 9 o'clock A. M., President Garst presiding.

Prayer was offered by the Rev. F. W. Parsons of Mason City.

PETITIONS AND MEMORIALS.

Senator Jones presented four petitions of residents of Mahaska county asking that the voters of Iowa be given an opportunity to decide by ballot the question of the enfranchisement of women.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Foley presented petition of the Mitchell County Agricultural Society asking that the law be so changed that the directors of the State Board of Agriculture be elected by the congressional districts which they represent.

Referred to Committee on Agriculture.

Senator Eckles presented petition of the Iowa Sheep Breeders' and Wool Growers' Association favoring the passage of House File No. 207, providing that the money received from the taxation of dogs be used to pay damages to live stock by dogs.

Referred to Committee on Agriculture.

Senator Smith of Des Moines presented petition of Brotherhood of Locomotive Engineers, Division No. 151, of Burlington, Iowa, asking for the passage of Senate File No. 236, relative to liability of railroads for personal injury to employes.

Referred to Committee on Judiciary.

Senator Moon presented petition of constituents asking that the question of women's suffrage be submitted to the voters of the State.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Hughes presented petition of the Iowa County Bar Association asking that relief be granted in the matter of drawing of grand and petit juries.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Warren, Senate File No. 308, a bill for an act granting the use of public highways for the laying of water mains and pipes and the setting of electric wire poles thereon.

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

By Senator Jackson, Senate File No. 309, a bill for an act prohibiting the giving or receiving of any rebate or premium payable on any policy or contract of insurance written within the State of Iowa.

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

By Senator Jones, Senate File No. 310, a bill for an act to give owners or keepers of stallions, jacks and bulls a lien for the service of such animal upon the offspring.

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

HOUSE MESSAGES CONSIDERED.

House File No. 379, a bill for an act to prohibit common carriers of passengers from issuing, furnishing or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act, also for annual reports and for the repeal of Chapter Ninety (90), laws of the Thirty-first General Assembly.

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

House concurred in Senate amendments to House File No. 50, a bill for an act relating to rates of fraternal beneficiary societies.

Passed on file.

House File No. 348, a bill for an act to amend the law as it appears in Section Twenty-six Hundred and Eight (2608) of the Supplement to the Code, relating to the Soldiers' Home at Marshalltown.

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

Senate File No. 283, a bill for an act legalizing an ordinance of the city council of the city of Red Oak Junction (now Red Oak), Iowa, passed February 5th, 1900, granting to the Red Oak Gas Light Company the use of the streets of Red Oak Junction (now Red Oak), Iowa, with certain conditional rights and privileges, for the purpose of erecting, purchasing, owning and maintaining a gas works system in said city.

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. 303, a bill for an act amending Section Thirty-four Hundred and Fifty-six (3456), and additional to Chapter Two (2) of Title Eighteen (18) of the Code, relating to limitation of 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 indefinitely postponed.

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. 300, a bill for an act to amend Section Four Hundred and Forty-eight (448) of the Code, relating to borrowing money for the erection of public buildings in counties having population of forty thousand (40,000) or over, beg leave to report that they 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. 259, a bill for an act legalizing the ordinances, acts, proceedings and resolutions passed by the town council of Pocahontas, of Pocahontas county, Iowa, and legalizing all the acts, proceedings and resolutions adopted or passed by the said town council in connection with the voting and granting of a franchise to the Havelock Mutual Telephone Company, as set forth in Ordinance No. 41 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.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 50, a bill for an act relating to rates of fraternal beneficiary societies.

Also:

House File No. 280, a bill for an act to fix the place of bringing action against municipal corporations in the State of Iowa in all counties where terms of the district court are held in more than one place.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Saunders, Senate File No. 277, a bill for an act to provide a uniform system of books, blanks, records, vouchers, etc., for use of County Auditors, County Treasurers and Clerks of the District Court, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Saunders moved the adoption of the following committee amendment:

Amend Section One (1) of said bill by striking out after the word "not" in the ninth line thereof the following: "more than eight (8)" and inserting in lieu thereof the following: "less than five (5) nor more than seven (7)".

Adopted.

Senator Saunders moved the adoption of the following committee amendment:

Amend Section One (1) by striking out the word "all" in the tenth line of said section and inserting in lieu thereof the word "each".

Adopted.

Senator Saunders moved the adoption of the following committee amendment:

Amend Section One (1) by striking out the period after the word "court" in the twelfth line thereof and insert a comma in lieu thereof, and after said comma the following: "or who shall be an expert accountant".

Adopted.

The bill, as amended, was read for information.

Senator Saunders moved that the rule be suspended, 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, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Wilson of Clinton, Young—37.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, Crossley, Gale, Hopkins, Jamieson of Page, McManus, Peterson, Smith of Mitchell, Stuckslager, Turner, Whiting, Wilson of Fayette—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 No. 50 and 280.

By unanimous consent, on motion of Senator Dowell, Senate File No. 55, a bill for an act to prohibit and regulate hospitals, institutions, and places created for or maintained and used as lying-in or maternity hospitals, or hospitals or places for the reception, care, and treatment of women in labor, was taken up and considered.

Senator Dowell moved that the Senate concur in the following House amendments:

Amend by striking from the twelfth line of Section One (1) thereof the word "yards" and inserting in lieu thereof the word "feet" and by striking out all of that sentence which follows the word "or" as it appears the second time in the thirteenth line of said Section One (1), and inserting in lieu thereof the words "in a building situated within seventy-five feet of premises owned by another".

Also amend by inserting after the period in line Twenty-three of Section Three (3) the following:

Provided, that no fee mentioned in this section should be required of any religious or charitable institution conducting such lying-in or maternity hospitals.

Add to Section Six (6): "It shall be the duty of the local Board of Health of the city, town or township in which such premises are maintained to inspect such premises at least once in six months; and to file an accurate report of such inspection with the city, town or township clerk of the city, town or township in which such premises are maintained, and that such report shall be preserved as a permanent record".

Also amend by striking out the publication clause.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert McKlveen, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting :

Senators Bruce, DeArmand, Dunham, Gale, Jamieson of Page, McManus, Mattes, Stookey, Turner—9.

So the Senate concurred in the House amendments.

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. 180, a bill for an act entitled, "an act to regulate demurrage and storage charges and to prevent delays in furnishing cars and in the transportation and delivery by railroads of freight other than live stock, and providing penalties 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 Senate is asked :

House File No. 101, a bill for an act appropriating money to J. H. Cownie, Jr., R. R. McCutchen and F. M. Hubbell, as trustees, to reimburse them for the funds advanced and used in the purchase of a tract of land for the State as an addition to 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 Senate is asked :

House File No. 352, a bill for an act to grant officers and guards at the penitentiaries at Anamosa and Fort Madison an annual vacation of fifteen days with pay.

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. 130, a bill for an act to amend Section Three Hundred and Eight (308) of the Supplement to the Code as amended by Chapter Eleven (11), acts of the Thirty-first General Assembly, relating to the compensation of county attorneys.

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 providing for reports and investigations of accidents on railways.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Lambert, Senate File No. 275, a bill for an act to amend Sections Three (3) and Four (4) of Chapter Three (3) of the Acts of the Thirty-first General Assembly, relating to printing, binding, and distributing of State reports and documents, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Lambert moved the adoption of the following committee amendment:

Strike out all in Section One (1) after the word "section" in the seventh line, and insert a period after the word "section".

Adopted.

Senator Lambert moved the adoption of the following committee amendment:

I move to insert before the word "that", in the fourth line of the printed bill, the following: That said section be further amended by inserting, after the comma following the word "oils", in the twenty-first line in said section, the words "of the State Dairy Commissioner's report four thousand copies, to be bound in paper covers".

Adopted.

The bill, as amended, was read for information.

Senator Lambert moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Ericson, Foley, Frudden, Gil-

holland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators Bruce, Elerick, Gale, Jamieson of Page, Turner—5.

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 Newberry, Senate File No. 230, a bill for an act to require a stamp on every ball of binding twine sold, exposed or offered for sale within this State, and providing a penalty for the violation thereof, was taken up and considered.

Senator Newberry moved that the substitute be substituted for the original bill.

Carried.

Senator Mattes moved the adoption of the following amendment:

Strike out Section Three (3) of the substitute and insert the following in lieu thereof:

"SEC. 3. All binder twine purchased or received by wholesale or retail dealers of this State prior to September 1st, 1907, shall be exempt from the provisions of this act until November 1st, 1908; but the burden of proof that such twine was so purchased or received shall rest on said dealers".

Adopted.

The bill, as amended, was read for information.

Senator Newberry moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dunham, Eckles, Elerick, Ericson, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, McKlveen McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were :

None.

Absent or not voting :

Senators Bruce, Dowell, Foley, Gale, Jamieson of Page, Jamison of Clarke, Turner—7.

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 Allen, House File No. 107, a bill for an act to repeal Section One Thousand Eight Hundred and Sixty-nine (1869) of the Code, relating to pay of, and loans to, officers of state and savings banks, and to enact a substitute therefor, 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 the adoption of the following amendment:

Amend by striking out the words "of Iowa" in the title.

Adopted.

Senator Warren moved the adoption of the following amendment:

Amend by striking out the words "of Iowa" in the second line of Section One (1).

Adopted.

Senator Allen moved the adoption of the following amendment:

Amend Section One (1) by striking out the words and figure "Section Two (2)" in the fourth line thereof.

Adopted.

Further consideration of the bill was deferred.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 208, a bill for an act to amend Section Thirty-six (36) of the Code, relative to the publication of acts of the General Assembly.

Also:

Senate File No. 224, a bill for an act making an appropriation to enable the State Railroad Commission to make an investigation of railway freight rates.

Also:

Senate File No. 103, a bill for an act to amend Section Five Hundred and Ninety-one (591) of the Code, relative to compensation of township clerks.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 103, a bill for an act to amend Section Five Hundred and Ninety-one (591) of the Code, relative to compensation of township clerks.

Also:

Senate File No. 208, a bill for an act to amend Section Thirty-six (36) of the Code, relative to the publication of acts of the General Assembly.

Also:

Senate File No. 224, a bill for an act making an appropriation to enable the State Railroad Commission to make an investigation of railway freight rates.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 208, a bill for an act to amend Section Thirty-six (36) of the Code, relative to the publication of acts of the General Assembly.

Also:

Senate File No. 224, a bill for an act making an appropriation to enable the State Railroad Commission to make an investigation of railway freight rates.

Also:

Senate File No. 103, a bill for an act to amend Section Five Hundred and Ninety-one (591) of the Code, relative to compensation of township clerks.

W. B. SEELEY,
Chairman.

Adopted.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Warren, Senate File No. 160, a bill for an act to amend the law as it now appears in Section One Hundred and Sixty-eight (168) and Section Two Thousand Six Hundred and Thirty-four-A (2634-A) of the Supplement to the Code, providing for furnishing the Educational Board of Examiners with supplies and printing and for the payment of the expenses of the Educational Board of Examiners, was taken up and considered.

Senator Warren moved that the committee substitute be substituted for the original bill.

Carried.

Senator Crossley moved the adoption of the following amendment:

Move to insert after the word "work" in line thirteen of Section Four (4) the following: "and other necessary assistance".

Adopted.

Senator Crossley moved the adoption of the following amendment:

Amend by striking out Section Six (6) and renumbering Section Seven (7) as Section Six (6).

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Newberry, Nichols, Peterson, Seeley, Stirton, Stookey, Stuckslager, Wade, Warren, Whipple, Whiting, Wilson of Clinton, Young—39.

The nays were:

None.

Absent or not voting:

Senators Gale, Jamison of Clarke, Jones, McManus, Moon, Saunders, Smith of Des Moines, Smith of Mitchell, Taylor, Turner, Wilson of Fayette—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 had signed, in the presence of the Senate, Senate Files No. 103, 208, 224.

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 amendment to the following bill, in which the concurrence of the House was asked:

House File No. 77, a bill for an act to prohibit the use and sale of toy pistols, firecrackers, dynamite caps and blank cartridges.

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 the following bill, in which the concurrence of the House was asked:

House File No. 41, a bill for an act to provide for the payment by counties of a bounty for the destruction of pocket gophers, and to levy a tax for such bounty.

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 the following bill, in which the concurrence of the House was asked:

House File No. 43, a bill for an act to repeal Section Four Hundred and Sixty-nine (469) of the Code, and enact a substitute therefor, providing for the compensation of County Supervisors.

C. R. BENEDICT,
Chief Clerk.

Also :

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker of the House names as conference committee on House File No. 42, a bill for an act to repeal Section Three Hundred and Twelve (312) of the Code, and to enact a substitute therefor, relating to the time of holding meetings of the Board of Supervisors: Weeks of Guthrie, Springer of Buchanan, Teter of Marion, and Feely of Black Hawk.

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 relating to State documents and publications; providing for the appointment of a document librarian; fixing his salary, and amending Section One (1), Chapter Five (5) of the Acts of the Thirtieth General Assembly.

C. R. BENEDICT,
Chief Clerk.

The hour having arrived, Senate File No. 196, a bill for an act to regulate the sale or disposal of stocks of goods, wares or merchandise in bulk, and to provide a penalty for the violation thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bruce moved the adoption of the following amendment:

Amend by inserting after the word "business" in the third line of Section One (1) of the printed bill, the following: "by any insolvent person, firm or corporation".

The amendment was lost.

Senator Gilliland moved the adoption of the following amendment:

I move to amend Section One (1) by inserting after the word "seller", at the end of the fifth line, and before the word "certified", at the beginning of the sixth line, the following: "for goods, wares and merchandise or money had or used in the business".

On the adoption of the amendment a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Bleakly, Bruce, Dunham, Eckles, Foley, Gilliland, Jamieson of Page, Jones, Kinne, Lambert, McKlveen, Newberry, Peterson, Saunders, Stirton, Stookey, Taylor, Warren, Whipple, Wilson of Fayette—20.

The nays were:

Senators Allen, Clark, Crossley, DeArmand, DeWolf, Dowell, Elerick, Erierson, Frudden, Hughes, Jackson, Kimmel, McManus, Mattes, Moon, Nichols, Seeley, Smith of Des Moines, Stuckslager, Wade, Whiting, Wilson of Clinton, Young—23.

Absent or not voting:

Senators Burgess, Gale, Hopkins, Jamison of Clarke, Maytag, Smith of Mitchell, Turner—7.

So the amendment was lost.

Senator Lambert moved that when the Senate adjourn it be until 1:30 o'clock P.M.

Senator Young moved to amend by making the time 2 o'clock.

The amendment was lost.

The original motion prevailed.

Senator Crossley moved the adoption of the following amendment:

Amend Section Two (2) by inserting after the comma, following the word "creditors" in line seven, the words:

"Or if any proposed purchaser not a bona fide purchaser, shall, after finding out the financial condition of the seller or the seller's business in the course of such transaction, knowingly and maliciously use such information, thus obtained, to the detriment and damage of the seller".

Also by striking out the words "said seller" and inserting in lieu thereof the words "any such persons violating the provisions of this act".

Senator Elerick offered the following amendment as a substitute for the amendment offered by Senator Crossley :

I move to amend by inserting the following as Section Three (3) :

"The alleged purchaser shall, on demand of the seller, be required to deposit in a bank to protect seller, twenty-five per cent (25 per cent) of the value of the stock sold, to be forfeited to the seller in case of fraud in obtaining list of creditors to the injury of seller".

Amend by numbering Section Three (3) of the original bill to Section Four (4) and Section Four (4) to Section Five (5).

Senator Allen moved that the time for adjournment be extended 15 minutes.

The motion was lost.

Senator Young moved that further consideration of the bill be deferred until the afternoon session.

Carried.

Senator Newberry moved that the Senate do now adjourn.

Carried.

Senate adjourned until 1:30 o'clock P.M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P.M., President Garst presiding.

INTRODUCTION OF BILLS.

By Senator McManus, Senate File No. 311, a bill for an act to amend Chapter One (1), Title Seven (7) of the Code, relating to the improvement of main roads.

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

Senator McKlveen presented the following and moved its adoption :

MR. PRESIDENT—There is now meeting in this city a body of men who are a connecting link between the years that are gone and the present time—the Pioneer Law-Makers of Iowa. I move you that a committee of three be appointed from this body to invite this association to visit this body at their convenience.

The President announced as such committee: Senators McKlveen, Burgess and McManus.

REPORTS OF COMMITTEE.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 73, 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 eighteen hundred and ninety-seven (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, as amended by the Committee on Claims, do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 197, a bill for an act to provide for the manufacture of binding twine in the State prisons 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.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 226, a bill for an act to reimburse S. B. Humbert for services rendered as superintendent of construction of the monuments at Lookout Mountain and one at either end of Missionary Ridge, and to make an appropriation therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Seeley asked unanimous consent to withdraw Senate File No. 95 from the Committee on Appropriations and that it be re-referred to the Committee on Claims, for the reason that it is identical with a bill that has passed the House, and will go to the committee on claims.

Consent granted.

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. 143, a bill for an act to indemnify Charles H. Tribby for damages caused by sewage from the State Hospital for Insane at Mount Pleasant, Iowa.

C. R. BENEDICT,
Chief Clerk.

Senate resumed consideration of Senate File No. 196.

Senator Crossley asked consent to withdraw the amendment offered by him.

Consent granted.

The amendment offered by Senator Elerick was adopted.

Senator Allen moved the adoption of the following amendment:

Amend by striking out the semicolon after the word "creditors" in line three of Section Two (2) and inserting a comma and the following: unless he shall deliver an instrument in writing signed by such creditors consenting to the proposed sale".

Adopted.

Senator DeWolf moved that the rules be suspended, the bill be considered engrossed and read a third time now.

Senator Gilliland moved the adoption of the following amendment:

I move to amend Section One (1) by inserting after the word "seller" at the end of the fifth line and before the word "certified", the following: "for such goods, wares and merchandise or money had and used in the business". Strike out "his" in seventh line and insert "such" in lieu thereof.

The President ruled the amendment was not in order at this time.

The motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Frudden, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Nichols, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stuckslager, Wade, Whipple, Whiting, Wilson of Clinton, Young—33.

The nays were:

Senators Bruce, Dunham, Foley, Gilliland, Hopkins, McKlveen, Newberry, Peterson, Stirton, Stookey, Taylor, Turner, Warren, Wilson of Fayette—14.

Absent or not voting:

Burgess, Gale, Jamieson of Page—3.

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 Jackson, Senate Joint Resolution No. 4, joint resolution providing for the appointment of a commission to inquire into the subject of taxation for the State and local purposes and the expediency of revising and amending the laws relating thereto and making an appropriation therefor.

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

Senator McKlveen, from the committee to extend invitation to the Pioneer Law-Makers' Association, presented the following report:

MR. PRESIDENT—Your committee appointed to extend an invitation from this body to the Pioneer Law-Makers' Association to visit this body at their convenience called upon the association and extended the invitation, which was accepted, and the association will report by committee.

Senator Smith of Mitchell moved that the Senate do now adjourn until 9 o'clock A.M. tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MARCH 14, A. D. 1907.

Senate met in regular session at 9 o'clock A. M, President Garst presiding.

Prayer was offered by the Rev. G. F. Nagel of Holy Cross, Iowa.

PETITIONS AND MEMORIALS.

Senator Elerick presented petition of citizens of Fairfield, Iowa, favoring the establishment of schools throughout the State to teach the subjects of agriculture and domestic science.

Referred to Committee on Ways and Means.

A committee from the Pioneer Law-Makers Association appeared and announced that they had accepted the invitation of the Senate tendered yesterday and had fixed the time of their visit at 2 o'clock P. M. today.

Senator Newberry presented petition of citizens of Clayton, Iowa, favoring the State Marshal Bill.

Referred to Committee on Appropriations.

Senator Foley presented petition of Retail Druggists' Association of Chickasaw county, Iowa, against the proposed Pure Drug Law.

Referred to Committee on Pharmacy.

Senator Eckles presented petition of citizens of Marshall county favoring Senate File No. 94, providing for the improvement and equipment of the Iowa State Fair and Exposition.

Referred to Committee on Appropriations.

Senator Nichols presented petition of citizens of Louisa county, Iowa, favoring legislation pertaining to suppression of intemperance.

Referred to Committee on Suppression of Intemperance.

Senator Mattes presented petition of citizens of Greene county, Iowa, favoring woman's suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Peterson presented remonstrance from citizens of Hardin county urging him to use all honorable means to prevent an amendment to the anti-pass bill to prohibit attorneys or surgeons employed by the railroads from receiving free transportation over their lines when not exclusively employed by the railway company.

Referred to Committee on Railroads.

Senator Maytag presented petition of citizens of Jasper county, Iowa, favoring an appropriation for the Benedict Home.

Referred to Committee on Appropriations.

Senator Crossley presented resolution of the Clinton county Teachers' Association favoring Senate File No. 98, House File No. 301 and such other legislation as is to the best interests of education.

Referred to Committee on Schools.

Senator DeArmand presented petition from prominent physicians and jurists of the State asking that venereal diseases be made subject to the same quarantine governing other contagious diseases.

Referred to Committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Eckles, Senate File No. 312, a bill for an act authorizing cities and towns, including cities under special charter, to provide for the collection and disposal of garbage, and for the payment for such service.

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

By Senator Kinne, Senate File No. 313, a bill for an act dividing the State into districts, establishing agricultural and manual

training schools therein, providing for their management, control and the operation thereof, creating a board of trustees therefor, establishing courses of study therein and making provision for the creation and support thereof.

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

HOUSE MESSAGES CONSIDERED.

House File No. 143, a bill for an act to indemnify Charles H. Tribby for damages caused by sewage from the State Hospital for Insane at Mt. Pleasant, Iowa.

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

House File No. 352, a bill for an act to grant officers and guards at the penitentiaries at Anamosa and Fort Madison an annual vacation of fifteen days with pay.

Read first and second time and referred to Committee on Penitentiaries and Pardons.

House concurred in Senate amendments to House File No. 43, a bill for an act to repeal Section Four Hundred and Sixty-nine (469) of the Code and enact a substitute therefor, providing for the compensation of county supervisors.

Passed on file.

House concurred in Senate amendments to House File No. 41, a bill for an act to provide for the payment by counties of a bounty for the destruction of pocket gophers, and to levy a tax for such bounty.

Passed on file.

House concurred in Senate amendments to House File No. 77, a bill for an act to prohibit the use and sale of toy pistols, firecrackers, dynamite caps and blank cartridges.

Passed on file.

Senate File No. 169, a bill for an act relating to State documents and publications, providing for the appointment of a document librarian, fixing his salary and amending Section 1, Chapter 5, of the Acts of the Thirtieth General Assembly.

Passed on file.

House File No. 42, Speaker of the House names as Conference Committee on House File No. 42, a bill for an act to repeal Section Three Hundred and Twelve (312) of the Code and to enact a substitute therefor, relating to the time of holding meetings of the board of supervisors: Weeks of Guthrie, Springer of Buchanan, Teter of Marion and Feely of Black Hawk.

Passed on file.

House File No. 101, a bill for an act appropriating money to J. H. Cownie, Jr., R. R. McCutchen and F. M. Hubbel, as trustees, to reimburse them for the funds advanced and used in the purchase of a tract of land for the State as an addition to the State Fair Grounds.

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

House File No. 130, a bill for an act to amend Section Three Hundred and Eight (308) of the Supplement to the Code as amended by Chapter Eleven (11), acts of the Thirty-first General Assembly, relating to the compensation of county attorneys.

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

House File No. 180, a bill for an act entitled an act to regulate demurrage and storage charges and to prevent delays in furnishing cars and in the transportation and delivery by railroads of freight other than live stock and providing penalties for violation thereof.

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

House File No. 318, a bill for an act providing for reports and investigations of accidents on railways.

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

REPORTS OF COMMITTEE.

Senator Smith of Mitchell, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 248, a bill for an act to amend Sections 156 and 157 of the Code, relating to the election and duties of the Secretary of the Executive Council and defining the duties of

said Secretary, and to amend Sections 1378 and 1382 of the Code, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 256, a bill for an act to transfer the duties, power and authority granted to or enjoined upon the Auditor of State under the provisions of Chapter 34, Acts of the Thirty-first General Assembly, relating to publication of municipal accounts, establishing uniform system of accounts, reports and audits in cities and towns, from the Auditor of State to the Secretary of State, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows, to-wit: By adding to Section 1 thereof the following:

Cities and towns shall hereafter make all reports required by the provisions of the above mentioned chapter to the Secretary of State and shall pay to him all fees or charges required by said chapter and be in all respects accountable to and subject to said officer to whatever extent and in whatever manner they are under the provisions of said chapter accountable or subject to the Auditor of State.

And when so amended the bill do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 255, a bill for an act to repeal Sections 373, 374, 375 and 376 of the Code in relation to notaries public and enact substitutes therefor; also to amend Section 68 of the Code in relation to the registration of commissions, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 257, a bill for an act to transfer from the Auditor of State to the Treasurer of State all of the powers, duties and responsibility relating to State and savings banks and loan and trust companies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows. By adding to Section 1 thereof the following: "Said banks and loan and trust companies shall, from and after the date above named, report to the Treasurer of State and shall pay to him all fees or charges and account to and be subject to his supervision, regulation and control to whatever extent and in whatever manner and as fully as they are now controlled by and subject to the Auditor of State, and when so amended the bill 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. 288, a bill for an act making appropriations to the State Historical Society 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. 264, a bill for an act creating a legislative reference department of the State Library, providing for assistants therein 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 refused to concur in Senate amendments to House File No. 251, a bill for an act to legalize the incorporation of the town of Bridgewater, Iowa, the election of its officers, the passage of its ordinances and resolutions and acts done by the city council in the adoption and enforcement of its ordinances and resolutions.

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. 202, a bill for an act to amend Section 1304 of the Code, relating to exemptions from taxation.

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. 175, a bill for an act to amend the law as it appears in Section 255 of the Supplement of the Code, relating to superior courts.

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. 104, a bill for an act to amend Chapter 2 of Title 10 of the Code, relating to United States levees, as amended by Chapter 83 of the laws of the Thirty-first General Assembly, to promote the public health, convenience and welfare, by leveeing, ditching and draining the lands of the State and providing for the assessment and collection of the costs and expenses of the same and issuing improvement certificates or issuing and selling bonds 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:

Substitute for Senate File No. 8, a bill for an act to amend the law as it appears in Chapter 68, Acts of the Thirtieth General Assembly, and in Chapter 85 of the Acts of the Thirty-first General Assembly in relation to levees, ditches, drains and watercourses.

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. 206, a bill for an act to amend Sections 2, 4 and 5

of Chapter 53 of the Acts of the Thirtieth General Assembly in regard to motor vehicles.

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. 77, 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.

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 the following bill, in which the concurrence of the House was asked:

House File No. 151, a bill for an act to prevent the desecration of Memorial Day and provide a penalty therefor.

C. R. BENEDICT,
Chief Clerk.

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

House File No. 204, a bill for an act to amend Section 776 of the Code relating to the publication of notices of questions submitted to the voters of cities and incorporated towns.

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. 192, a bill for an act making an appropriation for the salary and expenses of State agents and other expenses incurred under Chapter 181 of the Acts of the Thirty-first General Assembly.

C. R. BENEDICT,
Chief Clerk.

REPORTS OF COMMITTEES.

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. 289, a bill for an act to amend the law as it appears in Section Five (5), Chapter One Hundred and Nine (109), of the Laws of the Thirty-first General Assembly and to require assessors to report "deaths" occurring in their respective districts, beg leave to report they have had the same under consideration and have

instructed me to report the same back to the Senate with the recommendation that the same do pass.

HENRY YOUNG,
Chairman.

Ordered passed on file.

Senator Wilson of Fayette, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 200, a bill for an act to repeal Section Eleven Hundred and Sixty-four (1164) of the Code, in relation to recording abstracts of votes in the office of the Secretary of State, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that a similar bill has passed the House.

A. C. WILSON,
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. 260, a bill for an act to amend Section Twenty-six Hundred Twenty-six (2626) of the Code and Section Seventeen (17), Chapter One Hundred Twenty-two (122), Laws of the Thirty-first General Assembly, relating to the support of county teachers' institutes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the 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 Senate File No. 263, a bill for an act to make the County Treasurer the custodian of the funds belonging to the school corporations within the county and to abolish the office of school treasurer, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that 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 Senate File No. 302, a bill for an act to amend Section Twenty-eight Hundred and Twenty-three-F (2823-F) of the Supplement of the Code, relative to the enforcement of the law for compulsory attendance, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAMES J. CROSSLEY,
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. 201, a bill for an act to repeal the law as it appears in Section Thirteen Hundred Forty-seven-A (1347-A) of the Supplement to the Code and Chapter Forty-eight (48), Acts of the Thirtieth General Assembly, relating to the vocation of peddlers, defining the term peddlers, so as to include transient merchants and itinerant vendors selling by sample or by taking orders for immediate or future delivery, and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adopting the following substitute:

SUBSTITUTE FOR SENATE BILL NO. 201.

A BILL for an act to repeal the law as it appears in Section Thirteen Hundred Forty-seven-A (1347-A) of the Supplement to the Code, and Chapter Forty-eight (48), Acts of the Thirtieth General Assembly, relating to the vocation of peddlers, defining the term peddlers, so as to include transient merchants and itinerant vendors selling by sample or by taking orders for immediate or future delivery, and to enact a substitute therefor.

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

SECTION 1. That the law as it appears in Section Thirteen Hundred and Forty-seven-A (1347-A) of the Supplement to the Code and Chapter Forty-eight (48), Acts of the Thirtieth General Assembly, be and the same is hereby repealed and the following is enacted in lieu thereof:

“Peddlers plying their vocation in any county in this State outside of a city or incorporated town, shall pay an annual county tax of Twenty-five Dollars (\$25) for each pack peddler or hawkers on foot, fifty Dollars (\$50) for each one-horse conveyance, and Seventy-five Dollars (\$75) for each two horse conveyance. Such tax shall be paid

to the County Treasurer, who shall issue to the person making such payment duplicate receipts therefor, and upon presentation of one of same to the County Auditor, he shall issue to the person presenting such receipt a license which shall not be transferable authorizing such person to ply the vocation of a peddler in such county for the term of one year from the date thereof. The word "peddlers" under the provisions of this act, and wherever found in the Code, shall be held to include and apply to all transient merchants and itinerant vendors selling by sample or by taking orders, whether for immediate or future delivery. The provisions of this act shall not be construed to apply to persons selling at wholesale to merchants, nor to transient vendors of drugs, nor to persons running a huckster wagon, or selling and distributing fresh meats, fish, or vegetables, nor to persons selling their own work or production.

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 Capital, newspapers published in the City of Des Moines, Iowa.

C. C. DOWELL.

Chairman.

And when so amended the bill do pass.

Substitute was read first and second time and passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 293, a bill for an act to amend Section No. 2022, relating to cattle guards at private crossings of railways, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. M. HOPKINS,

Chairman.

Adopted.

So the bill was indefinitely postponed.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 91, a bill for an act "to repeal Section Twenty Hundred and Seventy-seven (2077) of the Code, relating to maximum rates of fare and enacting a substitute therefor," beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. M. HOPKINS,

Chairman.

Adopted.

So the bill was indefinitely postponed.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 208, a bill for an act “to repeal Section Two Thousand One Hundred and Fifty-five (2155) of the Code, relating to joint freight rates over two or more connecting lines of railway between points within this State, and to enact a substitute therefor,” beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following be substituted therefor, and when so substituted the bill do pass.

F. M. HOPKINS,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 202.

A BILL for an act to repeal Sections Two Thousand One Hundred and Fifty-three (2153) and Two Thousand One Hundred and Fifty-five (2155) of the Code, relating to joint freight rates over two or more connecting lines of railway between points within this State, and to enact substitutes therefor.

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

SECTION 1. That Sections Two Thousand One Hundred and Fifty-three (2153) of the Code be and the same is hereby repealed and the following enacted in lieu thereof:

Every owner or consignor of freight to be transported by railway from any point within this State to any other point within this State shall have the right to require that the same shall be transported over two or more connecting lines of railway, to be transferred at the connecting point or points without change of car or cars if in carload lots, and with change of car or cars if in less than car lots, whenever the distance from the place of shipment to destination, both being within this State, is less over two or more connecting lines of railway than it is over a single line of railway, or where the initial line does not reach the place of destination; and it shall be the duty, upon the request of any such owner or consignor of freight, made to the initial company, of such railway companies whose lines so connect, to transport the freight without change of car or cars if the shipment be in carload lot or lots, and with change of car or cars if it be in less than carload lots, from the place of shipment to destination, whenever the distance from the place of shipment to destination, both being within this State, is less than the distance over a single line, or when the initial line does not reach the point of destination, for a reasonable joint through rate. This section shall apply to interurban railways and their connection with ordinary steam railways.

SEC. 2. Section Two Thousand One Hundred and Fifty-five of the Code of 1897 be and the same is hereby repealed and the following enacted in lieu thereof:

The Board of Railroad Commissioners shall, within ten days after this act takes effect, notify in writing every railway company owning or operating a railway within this State that it will, upon a day named in such notice, which day shall not be more than thirty days after giving said notice, take up for investigation the subject of establishing joint through rates, as herein provided, between the railway lines in this State. It shall also give a similar notice, directed "To whom it may concern," and so publish the same that it will have general circulation throughout the State. All corporations, partnerships and persons interested in the subject may present themselves at the hearing and be heard, under such rules and regulations as the Board may prescribe. At the end of the investigation, which shall be carried on with all due diligence, the said Board of Railroad Commissioners shall make and publish a schedule of joint through railway rates over such routes and for such traffic as in its judgment the fair and reasonable conduct of the business requires shall be done by carriage over two or more lines of railway, and will promote the interests of the people of this state. In the making thereof, and in changing, revising or adding to the same, the Board shall be governed as nearly as may be by the preceding sections of this chapter, and shall take into consideration, among other things, the rates established for shipments within this State for like distances over single lines, the rates charged by the railway companies operating such connecting lines for joint interstate shipments, and the increased cost, if any, of a joint through shipment as compared with a shipment over a single line for like distances. In establishing such rates for shipments in less than car-load lots, in cases where, at the connecting point or points in the line of shipment, the connecting railways have not and are not required to have a common station or stopping place for loading or unloading freight, the Board shall make such lawful regulations as in its judgment will be fair and just respecting the transportation of such freight from the usual unloading place of one railway to the usual loading place of the other. The joint through rates thus established shall be promulgated by mailing a printed copy thereof to each railway company affected thereby, and shall go into effect within ten days after they are so promulgated; and from and after that time an official printed schedule thereof shall be prima facie evidence, in all the courts of this State, that the rates therein fixed are just and reasonable for the joint transportation of such freight between the points and over the lines described therein. The said Board shall deliver a printed copy of said schedule to any person making application therefor.

The share of any railway company of any joint through rate shall not be construed to fix the charge that it may make for transportation for a similar distance over any part of its line for any other shipment than one to be carried over two or more connecting lines. The Board, upon such reasonable notice as it may prescribe, may, upon its own motion or upon the application of any person, firm or corporation interested therein, revise, change or add to any joint through rates fixed or promulgated hereunder; and any such revised, changed or added joint rates shall have the same force and effect as the rate or rates originally

established . The said Board is empowered to authorize, upon proper hearing, any railway company whose line connects the point of shipment with the point of destination, but requires a longer haul than the joint haul over which a joint rate has been established, to charge the joint rate without affecting the charge upon any other part of its line, except that the charge for a like kind of property must not be greater for a shorter than for a longer distance over its railroad, all or any portion of the shorter haul being included with the longer. This section shall apply to interurban railways and their connection with ordinary steam railways.

SEC. 3. 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 Des Moines Capital, newspapers published in Des Moines, Iowa.

F. M. HOPKINS,
Chairman.

The substitute was read first and second time and passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 4, a bill for an act to repeal Section Two Thousand and Seventy-seven (2077) of the Code, relating to railroad passenger rates, and to enact a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. M. HOPKINS,
Chairman.

Adopted.

So the bill was indefinitely postponed.

HOUSE MESSAGES CONSIDERED.

House File No. 288, a bill for an act making appropriations to the State Historical Society of Iowa.

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

House File No. 264, a bill for an act creating a legislative reference department of the State Library, providing for assistants therein and making an appropriation therefor.

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

House refuses to concur in Senate amendments to House File No. 251, a bill for an act to legalize the incorporation of the town

of Bridgewater, Iowa, the election of its officers, the passage of its ordinances and resolutions and acts done by the city council in the adoption and enforcement of its ordinances and resolutions.

Passed on file.

House File No. 202, a bill for an act to amend Section Thirteen Hundred Four (1304) of the Code relating to exemptions from taxation.

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

Substitute for Senate File No. 104, a bill for an act to amend Chapter 2 of Title 10 of the Code relating to United States levees as amended by Chapter 83 of the laws of the Thirty-first General Assembly, to promote the public health, convenience and welfare, by leveeing, ditching and draining the lands of the state and providing for the assessment and collection of the costs and expenses of the same and issuing improvement certificates or issuing and selling bonds therefor.

Passed on file.

Substitute for Senate File No. 8, a bill for an act to amend the law as it appears in Chapter 68, acts of the Thirtieth General Assembly, and in Chapter 85 of the acts of the Thirty-first General Assembly, in relation to levees, ditches, drains and watercourses.

Passed on file.

Senate File No. 206, a bill for an act to amend Sections Two (2), Four (4) and Five (5) of Chapter Fifty-three (53) of the acts of the Thirtieth General Assembly in regard to motor vehicles.

Passed on file.

House amended and passed substitute or Senate File No. 77, 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.

Passed on file.

House concurred in Senate amendments to House File No. 151, a bill for an act to prevent the desecration of Memorial Day and provide a penalty therefor.

Passed on file.

House concurred in Senate amendments to House File No. 204, a bill for an act to amend Section Seven Hundred Seventy-six (776) of the Code relating to the publication of notices of questions submitted to the voters of cities and incorporated towns.

Passed on file.

House concurred in Senate amendments to House File No. 192, a bill for an act making an appropriation for the salary and expenses of State agents and other expenses incurred under Chapter One Hundred Eighty-one (181) of the acts of the Thirty-first General Assembly.

Passed on file.

House amended and passed Senate File No. 175, a bill for an act to amend the law as it appears in Section Two Hundred Fifty-five of the Supplement of the Code, relating to superior courts.

Senator Jamieson of Page moved that the Senate concur in the following House amendments:

Amend by changing "Section Two (2)" to "Section Three (3)," and inserting for Section Two (2) the following:

SEC. 2. That the law as it appears in Chapter Ten (10), Section One (1) of the laws of the Thirty-first General Assembly be, and the same is hereby amended, by inserting "or city" in line six between the word "general" and "election".

Also:

Amend the title by inserting in the second line, after the word "Code," the following words and figures: "and Section One (1) of Chapter Ten (10), laws of the Thirty-first General Assembly."

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jamieson of Page, Jamison of Clarke, Kimmel, Kinne, McKlveen, McManus, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young

The nays were :

None.

Absent or not voting :

Senators Bruce, Gale, Hopkins, Jackson, Jones, Lambert, Mattes, Moon—8.

So the House amendments were concurred in.

The time having arrived, Senate File No. 203, a bill for an act requiring all corporations doing business within the State to make an annual report and pay an annual license fee to the Secretary of State, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Young was called to the chair at 9:40 o'clock.

Senator Ericson moved the adoption of the following committee amendment:

Amend by striking out the figure "1" after the word "Chapter" in the third line of Section Three (3) and inserting in lieu thereof the word "one," followed by figure "1;" and by striking out the numeral "IX" after the word "Title" in the fourth line of Section Three and inserting in lieu thereof the word "nine," followed by numeral "(IX)".

Adopted.

Senator Ericson moved the adoption of the following committee amendment:

Amend by striking out the figure "2" after the word "Chapter" in the last line of Section Eight (8) and inserting in lieu thereof the word "two," followed by figure (2), and by striking out the numeral "IX" after the word "Title" in the last line of Section Eight (8) and inserting in lieu thereof the word "Nine," followed by numeral "IX."

Adopted.

Senator Ericson moved the adoption of the following amendment:

I move to amend Section One (1) by striking out paragraph four (4) in the fifteenth and sixteenth lines thereof, and insert as paragraph four (4) the following:

4. Par value of such stock, designating whether preferred or common stock.

Adopted.

Senator Jones moved the adoption of the following amendment:

I move to amend by inserting in Section One (1), in the first line thereof after the word "corporation," the following: "organized for pecuniary profit."

Senator Jamison of Clark moved that the bill be referred to Committee on Judiciary and that they report not later than Tuesday.

Carried.

REPORTS OF COMMITTEE.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 223, a bill for an act additional to and amendatory of the law as it appears in Chapter Six (6) of Title XII 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 they have 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 to Section Ten (10) the following: "Provided, however, that no warrants shall be drawn upon the treasury in excess of the funds received by virtue of this act;" and when so amended the bill be reported out without recommendation.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 45, a bill for an act to amend the law as it appears in Section Twenty-two Hundred and Eleven (2211) of the Supplement to the Code, and to amend Section Twelve (12) of Chapter Seventy-seven (77) of the acts of the Thirtieth General Assembly, and Section Eighteen (18) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to repeal Section Fourteen (14) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to enact a substitute therefor, and to provide for stoppage of compensation due officers and men of the Iowa National Guard for loss or damage to property issued them by the State for military purposes, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Whiting, Senate File No. 314, a bill for an act to legalize certain ordinances and official acts of the town council of Mondamin, Harrison county, Iowa.

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

On request of Senator Crossley, leave of absence was granted Senator Ericson until this afternoon.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Allen, House File No. 107, a bill for an act to repeal Section Eighteen Hundred Sixty-nine (1869) of the Code of Iowa, relating to pay of and loans to officers of state and savings banks, and to enact a substitute therefor, was taken up and considered.

Senator Jones moved the adoption of the following amendment:

I move to amend the printed bill by inserting in the twelfth line thereof, after the word "violating," the following words: "any of."

Adopted.

Senator Allen moved that the rule be suspended, the reading just had be its third reading, and the bill be placed on its passage.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Eckles, Elerick, Hopkins, Hughes, Jackson, Jamison of Clarke, Kimmel, McKlveen, McManus, Mattes, Maytag, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—35.

The nays were:

None:

Absent or not voting:

Senators Dowell, Dunham, Ericson, Foley, Frudden, Gale, Gillil-

land, Jamieson of Page, Jones, Kinne, Lambert, Moon, Newberry, Saunders, Turner—15.

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 Stookey, Senate File No. 179, 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, and define "bona fide yearly subscriber," with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Stookey moved the adoption of the following amendment:

I move to amend Section One (1) of the printed bill by striking out of lines two and three the following words: "thereto after the period at the end of said section," and insert in lieu thereof the following words: "to said sections as amended by Chapter Eighteen (18) of the Acts of the Thirtieth (30) General Assembly."

Adopted.

Senator Warren moved the adoption of the following amendment:

Strike out all after "subscriber" in the fifth line of Section One (1) of the printed bill and insert the following, "has in good faith ordered said newspaper."

The amendment was lost.

Senator Lambert moved the adoption of the following amendment:

Strike out the word "is" in the sixth line of the original bill and insert the word "agreed" in lieu thereof.

Adopted.

The bill as amended was read for information.

Senator Bruce moved the adoption of the following amendment:

Amend by striking out all after the word "section" in the third line thereof and inserting in lieu thereof the following:

"In the event of a contest, as provided in this section, no subscriber shall be a bona fide yearly subscriber unless such subscription has been ordered or paid for, and provided further that no such subscription shall be counted unless it has been made at least three months prior to such contest for one full year."

On the adoption of the amendment a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Bruce, Crossley—2.

The nays were:

Senators Allen, DeArmand, Dunham, Elerick, Foley, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Lambert, McKlveen, Mattes, Maytag, Newberry, Peterson, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Clinton, Young—28.

Absent or not voting:

Senators Bleakly, Burgess, Clark, DeWolf, Dowell, Eckles, Ericson, Frudden, Gale, Hopkins, Kinne, McManus, Moon, Nichols, Saunders, Seeley, Smith of Mitchell, Whipple, Whiting, Wilson of Fayette—20.

So the amendment was lost.

Senator Gilliland moved the adoption of the following amendment:

I move to strike from line five of the printed bill the word "two-thirds" and insert in lieu thereof the words "one-half."

Senator Turner moved the previous question on the amendment and the bill.

Carried.

On the adoption of the amendment a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Bruce, Crossley, Gilliland, Nichols, Wilson of Clinton—5.

The nays were:

Senators Allen, Bleakly, Clark, DeWolf, Elerick, Foley, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Lambert, McKlveen, Mattes, Maytag, Peterson, Saunders, Smith of Des Moines, Stirton, Stookey, Taylor, Wade, Whipple, Whiting, Wilson of Fayette, Young—27.

Absent or not voting :

Senators Burgess, DeArmand, Dowell, Dunham, Eckles, Ericson, Frudden, Gale, Jamison of Clarke, Kinne, McManus, Moon, Newberry, Seeley, Smith of Mitchell, Stuckslager, Turner, Warren—18.

So the amendment was lost.

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

On the question, "Shall the bill pass?"

The yeas were :

Senators Allen, Bleakly, Burgess, Clark, DeArmand, Dunham, Eckles, Elerick, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were :

Senators Bruce, Crossley—2.

Absent or not voting :

Senators DeWolf, Dowell, Ericson, Gale, Wade, Warren—6.

The President resumed the chair at 11:35 o'clock.

Senator Stookey moved the adoption of the following amendment to the title of the bill :

Move to amend the title by inserting after the word "Code" in the second line of the printed bill the words, "as amended by Chapter Eighteen (18) of the acts of the Thirtieth General Assembly."

Adopted.

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

Senator Lambert offered the following resolution and moved its adoption :

Resolved, That inasmuch as the Za-ga-Zig Temple of Shriners are to visit the Capitol this afternoon, the Senate extend to them a cordial invitation to be our guests and to take possession of the Senate for

thirty minutes immediately following the reception tendered the Pioneer Law-Makers, the chief Zig-zagger to preside.

Adopted.

The President announced as a Committee of Arrangements: Senators Smith of Mitchell, Maytag and Bruce.

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. 104, a bill for an act to enable courts in counties wherein it has been determined that lawfully constituted juries have not been or cannot be drawn, to provide for the preparation of new jury lists and for the drawing and summoning of jurors therefrom, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adopting the following substitute:

SUBSTITUTE FOR HOUSE FILE NO. 104.

A BILL for an act to provide for the preparation of new jury lists where, for any cause, a lawfully constituted grand jury or petit jury cannot be obtained, or lawfully qualified talesman can not be selected under the law from those persons who are returned by the election officers to serve as jurors.

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

SECTION 1. Wherever it has been or hereafter shall be found or determined by the district court in any county that, for any cause, the lawfully constituted grand jury or a petit jury has not or can not be obtained by drawing from the names returned by the election officers to the county auditor to serve as jurors, or that lawfully qualified talesman can not be selected by drawing from the list of names, the said court may order the board of supervisors of said county to prepare lists of names of persons having the qualifications required by law for grand jurors, petit jurors and talesmen. The court ordering shall fix the time of meeting of said board of supervisors therefor and shall prescribe the time and manner of notice thereof to be given the several members of such board. Said notice may be served by any person and proof of service shall be the same as that of original notice.

SEC. 2. It is hereby made the duty of the members of said board of supervisors to obey the order of the district court made in accordance with the authority granted it in Section One (1) hereof, and they are hereby empowered and authorized to hold a meeting of said board for the said purpose and the preparation of jury lists by said board at said meeting shall have precedence over all other business.

SEC. 3. The names to be drawn for grand jurors, petit jurors and talesmen shall be the number now required by law; they shall be apportioned

among the several voting precincts by the county auditor as required by law, and such apportionment shall be certified by the auditor to the board of supervisors.

SEC. 4. In preparing such lists the board of supervisors shall select the names from the qualified electors from the several precincts as shown by the poll lists of the last preceding general election, selecting for grand jury, petit jury and talesmen lists, the number in each precinct shown by the auditor's apportionment provided for in this act. Such lists shall be separately certified by the board of supervisors, in substance and in form, as election officers are now required to certify lists returned by them and the lists shall be filed with the county auditor and recorded by him in the proper record, and shall stand as the regular jury list for the county for the year in which it is selected and shall be used therefor and juries chosen therefrom, in all respects except as to time of selection of list and panel and summoning of the jurors, as is now provided by law; the time of selection of list and panel and summoning of the jurors to be under the order of the court.

SEC. 5. This act, being deemed of immediate importance, shall take effect and be in force immediately upon its publication in the Register and Leader, and the Des Moines Capital, newspapers published in Des Moines, Iowa.

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Adopted.

The substitute was read first and second time and placed on file.

Senator Dowell asked unanimous consent that House File No. 104 be considered at this time.

Senator Turner objected.

Senator Dowell moved that the rules be suspended and that House File No. 104, a bill for an act to enable courts in counties wherein it has determined that lawfully constituted juries have not been or cannot be drawn to provide for the preparation of new jury lists and for drawing and summoning of jurors therefrom, be taken up and considered, which motion prevailed.

Senator Kinne moved that the time for adjournment be extended until the bill under consideration be disposed of and for the correction of the Journals of Tuesday and yesterday.

Carried.

Senator Dowell moved that the committee substitute be substituted for the original bill.

Senator Allen moved that further consideration of the bill be deferred until tomorrow.

Senator Stookey moved to amend by making the time 10:30 o'clock A. M.

The amendment was adopted.

The motion as amended prevailed.

Senator Wilson of Fayette moved that 300 extra copies of Senate File No. 280, the Primary Election Bill, be printed.

Carried.

The President announced that he had signed, in the presence of the Senate, House File No. 41, House File No. 43, House File No. 77, House File No. 151, House File No. 192, House File No. 204.

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

Senator DeWolf moved that when the Senate adjourn it be until 1:30 o'clock P. M.

Carried.

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 4., a bill for an act to provide for the payment of a bounty for the destruction of pocket gophers.

Also:

House File No. 43, a bill for an act to repeal Section Four Hundred Sixty-nine of the Code, and enact a substitute therefor, providing for the compensation of county supervisors.

Also:

House File No. 77, a bill or an act to prohibit the use and sale of toy pistols, firecrackers, dynamite caps and blank cartridges.

Also:

House File No. 151, a bill for an act to prevent the desecration of Memorial Day and provide a penalty therefor.

Also:

House File No. 192, a bill for an act making an appropriation for the

salary and expenses of State agents and other expenses incurred under Chapter 181 of the Acts of the Thirty-first General Assembly.

Also:

House File No. 204, a bill for an act to amend Section Seven Hundred Seventy-six (776) of the Code, relating to the publication of notices of questions submitted to the voters of cities and incorporated towns.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

Chairman House Committee.

Ordered passed on file.

REPORTS OF COMMITTEES.

Senator Gilliland, 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. 166, a bill for an act to amend the law as it appears in Section Fifteen Hundred and Thirty (1530) of the Supplement to the Code by removing the semicolon after the word "council" in the twelfth line and by inserting after said word "council" "and the county treasurer shall pay to the city or town treasurer said 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:

Amend by striking out all of that portion of the title to said bill after the word "Code" in the second line of said title, and inserting after the said word "Code" in said second line thereof the following: "Relating to the payment by the county treasurers to the treasurers of cities and incorporated towns of that portion of the county road fund arising from the property within cities and incorporated towns."

Also that Section 1 of said bill be amended by inserting after the word "council" in the fourth line of said section the words, "the following."

And that the bill be reported without further recommendation.

SHIRLEY GILLILLAND,

Chairman.

Ordered passed on file.

Senator Gilliland, 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. 167, a bill for an act to make Chapter 48 of the acts of the Twenty-eighth General Assembly, in relation to the keeping of a record of delinquent taxes, applicable to cities acting under special chapter, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 167.

A BILL for an act to make the law as it appears in Section Thirteen Hundred and Eighty-nine-a (1389-a), Thirteen Hundred and Eighty-nine-b (1389-b), Thirteen Hundred and Eighty-nine-c (1389-c) and Thirteen Hundred and Eighty-nine-d (1389-d), of the Supplement to the Code, in relation to the keeping of a record of delinquent taxes, applicable to cities acting under special charter.

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

SECTION 1. That the law as it appears in Section Thirteen Hundred and Eighty-nine-a (1389-a), Thirteen Hundred and Eighty-nine-b (1389-a), Thirteen Hundred and Eighty-nine-c (1389-c) and Thirteen Hundred and Eighty-nine-d (1389-d) of the Supplement to the Code is hereby made applicable to cities acting under special charter, except that the word "collector" shall be substituted for the word "treasurer" as it appears in lines one and four of Section Thirteen Hundred and Eighty-nine-a (1389-a), and also in line one in Section Thirteen Hundred and Eighty-nine-d (1389-d).

And when so amended the bill do pass.

SHIRLEY GILLILLAND,
Chairman.

The substitute was read first and second time and passed on file.

Senator Gilliland, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate File No. 113, a bill for an act relating to the board of public works in certain cities, repealing Sections Eight Hundred Sixty-three (863) and Eight Hundred Sixty-five (865) of the Code and enacting substitutes therefor, and amending Sections Eight Hundred and Sixty-seven (867), Eight Hundred Seventy-one (871) and Eight Hundred Seventy-three (873) 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.

SHIRLEY GILLILLAND,
Chairman.

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. 15, a bill for an act to establish an insurance department and providing for an Insurance 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.

W. P. WHIPPLE,
Chairman.

Adopted.

On motion of Senator Jamison of Clarke the bill was referred to Committee on Appropriations.

The President declared the Senate adjourned until 1:30 o'clock P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P. M., President Garst presiding.

Senator Jamison of Clarke filed the following motion to reconsider:

I move to reconsider the vote by which Senate File No. 196 passed the Senate, and also the motion on which it went to its third reading on March 13,

JAS. H. JAMISON.

REPORTS OF COMMITTEE.

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. 68, 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 punishment of unauthorized persons for hunting, pursuing, killing and taking of any wild animals, birds or game within the State, and amending Section Twenty-five Hundred Sixty-two (2562) of the Code, relating to the Deputy Fish and Game Wardens, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. C. KIMMEL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

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. 295, 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 Treas-

ury for the use of the Fish and Game Warden, and the punishment of unauthorized persons for hunting, pursuing, killing and taking of any wild animals, birds or game within the State, and amending Section Twenty-five Hundred Sixty-two (2562) of the Code, relating to the Deputy Fish and Game Wardens, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. C. KIMMEL,
Chairman.

Ordered passed on file.

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. 296, a bill for an act amendatory of and additional to Chapter Fifteen (15) of the Code and Supplement to the Code, relative to the care and propagation of fish, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. C. KIMMEL,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Allen, Senate File No. 54, a bill for an act relating to the assignment of certificates of purchase at tax sales, and providing for the issuance of duplicate certificates of purchase in case of loss or destruction of original, amending Section Fourteen Hundred and Thirty-two (1432) of the Code, repealing Section Fourteen Hundred and Thirty-three (1433) of the Code, and enacting a substitute therefor, was taken up and considered.

Senator Allen moved that the Senate concur in the following House amendment:

Amend Section One (1) by adding the letter "d" to the word "deserte" in the second line thereof.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Foley, Hughes, Jones, Kimmel, Kinne, Lambert, McManus, Moon, Newberry, Nichols, Peterson, Saunders, Seeley,

Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Wade, Warren, Whipple, Whiting, Wilson of Clinton, Young—32.

The nays were :

None.

Absent or not voting :

Senators Bruce, Dowell, Dunham, Elerick, Ericson, Frudden, Gale, Gilliland, Hopkins, Jackson, Jamieson of Page, Jamison of Clarke, McKlveen, Mattes, Maytag, Taylor, Turner, Wilson of Fayette—18.

So the Senate concurred in the House amendments.

By unanimous consent, on motion of Senator Bleakly, Senate File No. 261, a bill for an act to amend Senate File No. 22, as passed by the Thirty-second General Assembly, February 5, 1907, and approved February 14, 1907, providing for the investment of funds of fraternal beneficiary societies, orders or associations, 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, 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 Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Foley, Gilliland, Hughes, Jamison of Clarke, Jones, Kimmel, Lambert, McKlveen, McManus, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—38.

The nays were :

None.

Absent or not voting :

Senators Bruce, Dunham, Ericson, Frudden, Gale, Hopkins, Jackson, Jamieson of Page, Kinne, Maytag, Turner, Warren—12.

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. 175.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 175, a bill for an act to amend the law as it appears in Section Two Hundred Fifty-five (255) of the Supplement to the Code, and Section One (1) of Chapter Ten (10) laws of the Thirty-first General Assembly, relating to superior courts.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 175, a bill for an act to amend the law as it appears in Section Two Hundred Fifty-five (255) of the Supplement to the Code, and Section One (1) of Chapter Ten (10), laws of the Thirty-first General Assembly, relating to superior courts.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate File No. 175, a bill for an act to amend the law as it appears in Section Two Hundred Fifty-five (255) of the Supplement to the Code, and Section One (1) of Chapter Ten (10), laws of the Thirty-first General Assembly, relating to superior courts.

W. B. SEELEY,
Chairman.

Adopted.

By unanimous consent, on motion of Senator Gilliland, Senate File No. 194, a bill for an act authorizing cities of the first class to levy taxes for the purpose of paying for building and reconstruction of bridges and for the issuance of bonds or certificates against such levies, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Gilliland moved the adoption of the following committee amendment:

Amend by striking out the word "fifteen" in the tenth and eleventh lines of Section One (1) and inserting in lieu thereof the word "twenty-five."

Adopted.

The bill, as amended, was read for information.

Further consideration of the bill was deferred at this time.

By unanimous consent, on motion of Senator Peterson, Senate File No. 38, a bill for an act prohibiting any corporation doing business within the State, or any officer, agent or representative thereof acting for such corporation from giving or contributing any money, property, labor or thing of value, to any member of any political committee, party or employe thereof to any candidate for any office, for campaign expenses or political purposes whatsoever, and prohibiting any member of political committee, party or employe from receiving any contribution from any corporation for campaign expenses and providing a penalty therefor, was taken up and considered.

Senator Peterson moved that the Senate concur in the following House amendment:

Amend by striking out the period at the end of Section One (1) and insert in lieu thereof a comma and by adding thereto the following: "but nothing in this act shall be construed to restrain or abridge the liberty of the press or prohibit the consideration and discussion therein of candidacies, nominations, public officers or political questions."

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Clark, Hopkins, Kimmel, Peterson, Saunders, Smith of Mitchell, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Young—11.

The nays were :

Senators Allen, Bleakly, Burgess, Elerick, Foley, Gilliland, Hughes, Jackson, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Seeley, Smith of Des Moines, Stirton, Warren, Whiting—21.

Absent or not voting :

Senators Bruce, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Ericson, Frudden, Gale, Jamieson of Page, Jamison of Clarke, Jones, McManus, Stookey, Stuckslager, Taylor, Turner—18.

So the Senate failed to concur in the House amendment.

INTRODUCTION OF BILLS.

By Senator Stookey, House File No. 315, a bill for an act to repeal Section Fourteen Hundred and Sixty (1460) of the Code, relating to the statement by the Auditor of State of the County Treasurer's account with the Treasurer of State.

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

Senator Allen filed the following motion to reconsider:

MR. PRESIDENT—I move to reconsider the vote by which the Senate refused to concur in the House amendment to Senate File No. 38.

J. H. ALLEN.

By unanimous consent, on motion of Senator Nichols, Senate File No. 300, a bill for an act to amend Section Four Hundred and Forty-eight (448) of the Code, relating to borrowing money for the erection of public buildings in counties having a population of forty thousand or over, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Nichols moved that the rule be suspended, 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 Allen, Bleakly, Clark, DeArmand, DeWolf, Eckles,

Elerick, Foley, Frudden, Gilliland, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—35.

The nays were :

None.

Absent or not voting :

Senators Bruce, Burgess, Crossley, Dowell, Dunham, Ericson, Gale, Hopkins, Jamieson of Page, Lambert, McKlveen, McManus, Maytag, Stuckslager, Turner—15.

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 Allen, Senate File No. 74, a bill for an act limiting the indebtedness of state and savings banks, and repealing Section Eighteen Hundred and Fifty-five (1855) of the Code, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Allen moved the adoption of the following committee amendment :

That the words "two-thirds of" in lines five and six of Section Two (2) be stricken out, and the words "an amount equal to" be inserted in lieu thereof.

Adopted.

Senator Allen moved the adoption of the following committee amendment :

That Section Three (3) of the original bill be renumbered, and become Section Four (4).

Adopted.

Senator Allen moved the adoption of the following committee amendment :

That the following be inserted as Section Three (3) :

"SEC. 3. All acts or parts of acts in conflict with this act are hereby repealed."

Adopted.

Senator Stookey moved the adoption of the following committee amendment:

Strike out all of Section Three (3).

Senator Warren moved that further consideration of the bill be deferred at this time.

Carried.

The Sergeant-at-Arms announced a committee with the Pioneer Law-Makers' association of Iowa.

The President instructed the committee to escort the president of the association to a seat at the President's desk, and directed the seating of the association on the west side of the chamber, which was vacated for that purpose.

The President expressed gratification for the opportunity of welcoming the Pioneer Law-Makers' Association of Iowa, and in turning over the gavel to the president of the association he announced that he had requested Senator Moon to make the address of welcome on behalf of the Senate.

Mr. President, Pioneer Law-Makers of Iowa and Senators:

Most happy am I to convey the greeting of the Senate to those who, in years gone by, were engaged in the active and honorable service of our beloved State. The commonwealth of Iowa is not old; not old enough to have developed those traditions which render the history of older countries and older states interesting to strangers. But she has history; history of which the people within her borders are proud.

Under a popular government, the history of a state or nation is most accurately written in the laws which the people, from time to time, enact for their own government. The title of your organization, Pioneer Law-Makers of Iowa, discloses and implies an intimate relation between yourselves and the history of Iowa, and, as we are proud of the history of our State, we honor, respect and greet you as the makers of that history, and the Senate and the State of Iowa feels honored at your presence here.

There is another reason why our greeting is most cordial and most sincere and this reason is confidential in its nature. In the whole State of Iowa there are none who better appreciate than do you the perplexities which confront us now in endeavoring to conscientiously discharge the duties which we owe to those whom we represent. None better know than do you how difficult it is to harmonize conflicting interests and to protect one against the encroachments of the other. None better know than you know how difficult it is to be guided by a petition from a constituency and, at the same time, to be governed by a protest regarding the same matter, and none better know than you of the

profound doubt which fills our minds, and which filled your minds in years gone by, as to whether the people at home, whom you represent, as they read the record, are preparing to say to us on our return, "Well done, thou good and faithful servant," or whether they are even now expressing themselves in other scriptural terms quite as emphatic, quite as full of meaning, yet much less comfortable to listen to, and whether the words of the Litany, "Good Lord, Deliver us; Good Lord, Deliver us," are becoming a household expression, as they read the daily accounts of our doings here. However, that may be, I feel that the best hope which I could express for this Assembly is that when, in after years, if we return to survey the condition prevailing at that time, we may be as well satisfied and content with the record of the Thirty-second General Assembly as you should be at this time in surveying the result of your work years ago.

President Perry then introduced Mrs. Jessie Cheek who sang in a beautiful manner, "The last Rose of Summer," and to an enthusiastic encore responded with an echo song.

The President introduced Ex-Lieutenant-Governor Warren S. Dungan to respond to the address of welcome on behalf of the association.

Senator Gilliland, being called for, delivered a happy address of felicitation to the association.

The president of the association then introduced Judge C. C. Cole as one of the most prominent members of the legal fraternity and educators of the State, who addressed the Assembly at length.

Former Senator Lot Abraham was then introduced and pleased the assemblage by singing two of his characteristic songs.

The president of the association then thanked the Senate for their cordial invitation and pleasing entertainment.

President Garst returned the thanks of the Senate for their visit and spoke in glowing terms of their services rendered to the State and hoped their successors would have the pleasure of receiving many calls of a like nature.

The association then withdrew and the members of the Imperial Za-Ga-Zig Temple of Des Moines were invited to assume the seats just vacated.

President Garst welcomed the Imperial Council to the halls of legislation and turned over the gavel together with all authority to Imperial Potentate Frank O. Evans, and for thirty minutes, wisdom, fun, sarcasm, mingled with good fellowship, prevailed.

The session was heartily enjoyed by all and was a delightful break in the monotony of the legislative grind.

The council then withdrew. The Senate resumed its session, and on motion of Senator Hughes the Senate adjourned until 9 o'clock A. M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, MARCH 15, A. D. 1907.

Senate met in regular session at 9:00 o'clock A. M., President Garst presiding.

Prayer was offered by the Rev. L. B. Hix of Marshalltown.

On request of Senator Dunham, leave of absence was granted Senator Crossley indefinitely on account of sickness.

PETITIONS AND MEMORIALS.

President Garst presented petition of residents of Russell, Iowa, protesting against the proposed law requiring manufacturers of patent medicines to make public their formulas.

Referred to Committee on Pharmacy.

Senator Dunham presented petition of 1,950 citizens asking the legislature to take such steps as are necessary to submit to the voters of the State the question of prohibiting the manufacture and sale of intoxicating liquors.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Dunham presented petition of citizens of Allison, Iowa, favoring the passage of the measure known as the State Marshall Bill.

Referred to Committee on Suppression of Intemperance.

Senator Young presented remonstrance of citizens of Fort Dodge against House File No. 132, relative to exemption of personal earnings.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Burgess, Senate File No. 316, a bill for an act to repeal Section Two Thousand and Twenty-six (2026) of the Supplement to the Code, and Chapter Eighty-seven (87) of the acts of the Thirty-first General Assembly, relating to railways operated by animal or other power, and to enact a substitute therefor.

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

By Senator Mattes, Senate File No. 317, a bill for an act to amend Chapter One Hundred and Sixty-five (165), laws of the Thirty-first General Assembly, relating to appropriation for enforcement of food law.

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

REPORTS OF COMMITTEES.

Senator Eckles, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House File No. 143, a bill for an act to indemnify Charles H. Tribby for damage caused by sewage from the State Hospital for 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 be amended as follows: Amend Section Two (2) by striking out of the third and fourth lines of said section the words and figures: "One Thousand Seven Hundred and Ninety-two Dollars and Sixty-six Cents (\$1,792.66)" and insert in lieu thereof the words and figures, "One Thousand Five Hundred and Twelve Dollars and Eighty Cents (\$1,512.80)," and when so amended the bill be referred to the Appropriation committee with the recommendation that the same do pass.

CHAS. ECKLES,
Chairman.

Adopted.

So the bill was referred to Committee on Appropriations.

Senator Bleakly, 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. 130, a bill for an act to amend Section Three Hundred Eight (308) of the Supplement to the Code, as amended by Chapter Eleven (11), acts of the Thirty-first General Assem-

bly, relating to the compensation of county attorneys, beg leave to report that they 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 Smith of Mitchell, 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. 73, a bill for an act to amend the law as the same appears in Section One Thousand Three Hundred Four-A (1304-A) of the Supplement to the Code, relating to the 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.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, 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. 239, a bill for an act amending Section Thirteen Hundred Thirty-three (1333) of the Code Supplement, in relation to taxes paid by insurance companies other than those organized under 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 substitute for Senate File No. 239, herewith submitted, do pass.

SUBSTITUTE FOR SENATE FILE NO. 239.

A BILL for an act amending Section Thirteen Hundred and Thirty-three (1333) of the Code Supplement, in relation to taxes paid by insurance companies other than those organized under the laws of the State of Iowa.

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

SECTION 1. That Section Thirteen Hundred and Thirty-three (1333) of the Code Supplement be and the same is hereby amended by striking out the period at the end of said section and inserting in lieu thereof a semicolon, and by adding thereto the following: Provided, however, that companies doing a fire insurance business may deduct from the gross amount of premiums received, the amount of premiums returned upon cancelled policies issued upon property situated in this State.

JAS. A. SMITH,
Chairman.

Substitute was read first and second time and passed on file.

Senator Smith of Mitchell, 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. 306, a bill for an act to amend Section One Thousand Three Hundred Four (1304) of the Code, relating to exemptions 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.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Gilliland, 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. 212, a bill for an act to provide for the government of certain cities, amending Title V (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 amended as follows:

Amend Section Two (2) by striking the figures and word "100 electors" from the first line of said section and inserting in lieu thereof the following: "Electors equal in number to ten per centum of the votes cast for all candidates for mayor at the last preceding city election."

Amend Section Four (4) by striking from said section all after the word "councilmen" in the second line thereof down to and including the word "election" in the seventh line thereof; also by striking out the word "said" after the word "if" and before the word "vacancy" in the eighth line of said section and inserting in lieu thereof the word "any"; also by striking from the eighth and ninth lines of said section the words "six months or less before the next general municipal election in said city, then" and inserting in lieu thereof the words "in any such office."

Amend Section Five (5) by inserting between the word "general" and the word "election" in the eighth line thereof the word "municipal"; also by inserting between the word "general" and the word "election" in the twelfth line thereof the word "municipal."

Amend by adding after Section Five (5) the following as Sections Five-a (5-a) and Five-b (5-b):

"Sec. 5-a. Any person who shall agree to perform any services in the interest of any candidate for any office provided in this act, in consideration of any money or other valuable thing for such services performed in the interest of any candidate, shall be punished by a fine not exceeding Three Hundred Dollars (\$300) or be imprisoned in the county jail not exceeding thirty (30) days.

"Sec. 5-b. Any person offering to give a bribe, either in money or

other consideration, to any elector for the purpose of influencing his vote at any election provided in this act, or any elector entitled to vote at any such election receiving and accepting such bribe or other consideration; any person making false answer to any of the provisions of this act relative to his qualifications to vote at said election; any person wilfully voting or offering to vote at such election who has not been a resident of this State for six months next preceding said election, or who 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; any person knowingly procuring, aiding, or abetting any violation hereof shall be deemed guilty of a misdemeanor and upon conviction shall be fined a sum not less than One Hundred Dollars (\$100) nor more than Five Hundred Dollars (\$500) and be imprisoned in the county jail not less than ten (10) nor more than ninety (90) days."

Also amend Section Five (5) by adding after the word "class" in line 109 and before the word "would" the words "and cities acting under special charter"; also by striking from line 111 the words "city of the first class" and inserting in lieu thereof the word "cities"; also by inserting in line 112 between the word "general" and the word "election" the word "municipal"; also by inserting between the word "in" and the word "cities" in line 117 the word "such" and by striking from said line following the word "cities" the words "of the first class."

Amend Section Seven (7) by adding after the word "class" in the eighth line thereof the words "and cities acting under special charter."

Amend Section Ten (10) by striking out the word "to" after the word "salaries" in the twelfth line thereof and inserting in lieu thereof the word "shall."

Amend Section Twelve (12) by striking from line eleven after the word "for" and before the word "interurban" the word "railways."

Amend Section Thirteen (13) by striking from line eight thereof after the word "a" and before the word "interurban" the word "railways"; also by striking from line fourteen after the word "any" and before the word "interurban" the word "railway"; also by adding to said section the following:

"Any officer or employe of such city who, by solicitation or otherwise, shall exert his influence directly or indirectly to influence other officers or employes of such city to adopt his political views or to favor any particular person or candidate for office, or who shall in any manner contribute money, labor, or other valuable thing to any person for election purposes shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding Three Hundred Dollars (\$300) or by imprisonment in the county jail not exceeding thirty (30) days."

Amend Section Fourteen (14) by striking lines nineteen, twenty, and twenty-one from Sub-division (b) of said section; also by striking from line six of Sub-division (d) of said section the word "commissioners" and inserting in lieu thereof the word "council"; also by adding after the word "assembly" and before the word "shall" in line nine

of Sub-division (f) of said section the words "and subsequent amendments thereto."

Amend Section Eighteen (18) by striking out the word "twenty" in the sixth line and inserting in lieu thereof the word "forty."

Amend Section Nineteen (19) by inserting in line three of Sub-division (b) of said section after the word "general" and before the word "election" the word "municipal"; also by inserting in line five of Sub-division (b) of said section after the word "general" and before the word "election" the word "municipal"; also by adding after the word "month" in the twenty-fifth line of Sub-division (b) the words "for such purpose."

Amend Section Twenty (20) by striking out the word "twenty-five" in the eighth line of said section and inserting in lieu thereof the word "forty"; also by inserting in line ten after the word "general" and before the word "election" the word "municipal."

And when so amended the bill do pass.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

Senator Newberry, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 250, a bill for an act providing for the inspection of steam boilers; for safety appliances to be used on such boilers; for the appointment and compensation of boiler inspectors; the enforcement of the provisions of this act, 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 same be amended as follows:

Amend Section Three (3) of the printed bill by striking out the following words after the word "with" in the sixth line of said section: "a full complement of"; also striking out the comma after the word "carried" in the sixth line of said section and inserting a comma after the word "inserted" in the seventh line of said section.

Amend Section Four (4) of the printed bill by inserting the following words after the "period" in the sixth line of said section: "Every inspector shall give bonds in the amount of Two Thousand Dollars (\$2,000.00), to be approved by the Governor, conditioned upon the faithful discharge of the duties of his office."

Amend Section Five (5) of the printed bill by striking out the word "may" in the first line and inserting the word "shall" in lieu thereof; also strike out the comma after the word "Iowa" in the fifth line and insert a period in lieu thereof. Further amend said section by striking out the word "provided" following the word "Iowa" in the fifth line and commence the following word "the" with a capital letter.

Amend Section Seven (7) by striking out all of said section and inserting the following in lieu thereof: "Sec. 7. Nothing in Sections One (1), Two (2), Three (3), Five (5), and Six (6) shall be construed to apply to boilers upon railway locomotives owned and operated by rail-

road companies, boilers upon steamboats, or boilers used for heating purposes, where the pressure carried is twenty-five pounds or less, or traction thresher engines or boilers used upon farms outside of the limits of incorporated cities and towns."

And when so amended the bill do pass, with a further recommendation that it be referred to the Committee on Appropriations.

BYRON W. NEWBERRY,
Chairman.

Adopted.

So the bill was referred to Committee on Appropriations.

Senator Newberry, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 193, a bill for an act providing for the inspection of steam boilers, generators, super-heaters, and creating the office of State Boiler Inspector, defining his duties thereunder and providing penalties 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 be indefinitely postponed.

BYRON W. NEWBERRY,
Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Newberry, Senate File No. 318, a bill for an act to amend Chapter One Hundred and Sixty-five (165), laws of the Thirty-first General Assembly, relating to the definition of adulterated foods, and fixing standards for certain food products.

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

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Jamison of Clarke, House File No. 345, a bill for an act to amend Section Seventeen Hundred and Forty-three (1743) of the Supplement to the Code, relative to the removal of goods and merchandise covered by insurance, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Jamison of Clarke moved the adoption of the following committee amendment:

That the title be amended by inserting in the first line thereof, following the word "amend," the words "the law as it appears in."

Adopted.

Senator Jamison of Clarke moved the adoption of the following committee amendment:

Amend line one of Section One (1) by inserting after the word "that" the words "the law as it appears in."

Adopted.

The bill as amended was read for information.

Senator Jamison of Clarke moved that the rule be suspended, the reading just had be considered its third reading, and the bill placed on its passage.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, DeArmand, DeWolf, Eckles, Elerick, Erieson, Foley, Frudden, Gale Hopkins Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Stirton, Stookey, Stuckslager, Taylor, Wade, Whipple, Whiting, Wilson of Clinton, Young—38.

The nays were:

None.

Absent or not voting:

Senators Bruce, Crossley, Dowell, Dunham, Gilliland, Jamieson of Page, McManus, Smith of Des Moines, Smith of Mitchell, Turner, Warren, Wilson of Fayette—12.

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

Senator Jamison of Clarke moved that Senate File No. 28, a bill bill for an act to amend Section Seventeen Hundred and Forty-three (1743) of the Supplement to the Code, relative to the removal of goods and merchandise covered by insurance be indefinitely postponed, for the reason that House File No. 345 just passed is identical.

Carried.

So the bill was indefinitely postponed.

By unanimous consent, on motion of Senator Allen, Senate File No. 74, a bill for an act limiting the indebtedness of state and savings banks and repealing Section Eighteen Hundred and Fifty-five (1855) of the Code, was taken up and considered.

Senator Stookey moved the adoption of the following amendment:

Strike out all of Section Three (3).

The amendment was lost.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Eckles, Ericson, Foley, Frudden, Gale, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—39.

The nays were:

None.

Absent or not voting:

Senators Crossley, Dowell, Dunham, Elerick, Gilliland, Jamison of Clarke, Jones, McManus, Moon, Turner, Warren—11.

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

Senator Jamieson of Page moved that Senate File No. 202, a bill for an act relating to joint freight rates over two or more connecting lines of railway between points within this State, and to enact substitute therefor, be re-referred to Committee on Railroads.

Carried.

By unanimous consent, on motion of Senator DeWolf, Senate

File No. 236, a bill for an act defining the relations between employer and employe with respect to assumption of risk, and providing what shall constitute notice thereof, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator DeWolf moved that the committee substitute be substituted for the original bill.

Carried.

The bill was read for information.

Senator DeWolf moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, McKlveen, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—38.

The nays were :

None.

Absent or not voting :

Senators Clark, Crossley, DeArmand, Gilliland, Hopkins, Jamison of Clarke, Lambert, McManus, Maytag, Smith of Des Moines, Stuckslager, Turner—12.

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 Jones, House File No. 363, a bill for an act to amend Section Thirty-one Hundred and Eighty-one (3181) of the Code, relating to divorces and marriages of divorced persons, was taken up and considered.

The bill was read for information.

Senator Jones moved that the rule be suspended, the reading just

had be considered its third reading, and the bill placed on its passage.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Elerick, Ericson, Foley, Frudden, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clayton, Young—43.

The nays were:

None.

Absent or not voting:

Senators Crossley, Eckles, Gale, Gilliland, Hopkins, McManus, Whiting—7.

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 Maytag, Senate File No. 245, a bill for an act directing the custodian of public buildings and property to prepare a case for the reception of flags carried by Iowa regiments during the Spanish-American war, and making appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clark,

Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were :

None.

Absent or not voting :

Senators Crossley, Gale, Gilliland, McManus, Wade—5.

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

Senator Saunders moved that when the Senate adjourn this forenoon it be until 9 o'clock A. M. tomorrow.

Carried.

By unanimous consent, on motion of Senator Whipple, House File No. 118, a bill for an act to amend Section Twenty-six Hundred and Two (2602) of the Code, relating to the admission of persons to the Soldiers' Home, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Whipple moved the adoption of the following committee amendment :

Nothing in this act shall be construed to bar any person from admission who is entitled to such admission under Section Two Thousand Six Hundred Two (2602) of the Code.

Adopted.

Senator Whipple moved the adoption of the following amendment :

Amend by striking out the words and figures "Section Two (2)."

Adopted.

Senator Whipple moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, De-Wolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—47.

The nays were :

None.

Absent or not voting :

Senators Crossley, Jamieson of Page, Kinne—3.

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 Maytag, House File No. 312, a bill for an act authorizing the Executive Council to build walks and steps and make necessary repairs around the Capitol building and grounds, and making an appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee was adopted.

The bill was read for information.

Senator Maytag moved that the rule be suspended, the reading just had be considered its third reading, and the bill placed on its passage.

Carried.

On the question, "Shall the bill pass?"

The yeas were :

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, De-Wolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were :

None.

Absent or not voting :

Senators Crossley, Dunham, Gilliland, Jamison of Clarke, Turner, Whipple—6.

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. 63, a bill for an act to repeal Section Two Thousand and Fifty-seven (2057) of the Code, relating to fences required to be constructed by railroad companies, and enacting a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

Also :

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith asks the recall of the following bill, in which the concurrence of the Senate was asked:

House File No. 1, a bill for an act to authorize counties to purchase and maintain real estate for the use of county fairs, additional to Section Four Hundred Twenty-two (422) of the Code.

C. R. BENEDICT,
Chief Clerk.

Senator Maytag moved that Senate File No. 219, a bill for an act authorizing the Executive Council to build walks and steps and make necessary repairs around the Capitol building and grounds, and making an appropriation therefor, be indefinitely postponed, for the reason that House File No. 312 is identical.

Carried.

So the bill was indefinitely postponed.

By unanimous consent, on motion of Senator Mattes, House File No. 105, a bill for an act to prohibit combination among grain elevator men and to prohibit any person, company, partnership, association or corporation engaged in the business of grain dealing or owning or operating grain elevators from combining or entering into any agreement, contract or trust to pool or fix the prices to be paid for grain or to prevent the free action of competition in the

buying of grain, or the selling of grain, and to provide punishment for the same, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Mattes moved the adoption of the following committee amendment:

A bill for an act to prohibit any person, company, partnership, association, or corporation engaged in the business of grain dealing, or owning or operating grain elevators, from combining or entering into any agreement, contract, trust, or pool to fix the prices to be paid for grain, or to prevent the free action of competition in the buying of grain, or the selling of grain, and to provide punishment for the violation of this act.

Adopted.

Senator Mattes moved the adoption of the following committee amendment:

Also, Section One (1) of the bill be amended by striking out all of Section One (1) and by substituting therefor the following, to-wit:

"SECTION 1. That it shall be unlawful for any person, company, partnership, association, or corporation owning or operating any grain elevator or engaged in the business of buying, selling, handling, consigning, or transporting grain, to enter into any agreement, contract, or combination with any other grain dealer, or grain dealers, partnership, company, corporation, or association of grain dealers, whether within or without the State, engaged in like business, or the fixing of prices to be paid for grain by different dealers or buyers; or to divide between said dealers the aggregate or net proceeds of the earnings of such dealers and buyers, or any portion thereof; or to form, enter into, maintain, or contribute money or anything of value to any trust, pool, combination, or association of persons of whatsoever character or name, which has for any of its objects the prevention of full and free competition among buyers, sellers, or dealers in grain; or to do or permit to be done by his or their authority any act or thing whereby the free action of competition in the buying or selling of grain is restrained or prevented."

Adopted.

Senator Mattes moved the adoption of the following committee amendment:

Also, that Section Three (3) of the bill be amended by striking out all the words between the period following the word "court" in the eleventh line of said section to and including the period following the word "recovered" in the sixteenth line of said section.

And when so amended the bill do pass.

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clark, Jones, Kimmel, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Burgess, Crossley, Dunham, Frudden, Kinne, Mc-Klveen, McManus, Stuckslager, Whipple—9.

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

REPORTS OF COMMITTEE.

Senator Turner, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate File No. 279, a bill for an act in regard to admission to the Soldiers' Home and payment for support by members, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

D. W. TURNER,
Chairman.

Ordered passed on file.

Senator Turner, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House File No. 348, a bill or an act to amend the law as it appears in Section Twenty-six Hundred and Eight (2608) of the Supplement to the Code, relating to the Soldiers' Home at Marshalltown, beg leave to report

they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: Strike out of line four of Section One (1) of said bill the word "fifteen" and insert in lieu thereof the word "sixteen," and when so amended the bill do pass.

D. W. TURNER,
Chairman.

Ordered passed on file.

The hour having arrived, House File No. 104, a bill for an act to enable courts in counties in which lawfully constituted juries can not be drawn, to provide for the preparation of new jury lists and for the drawing and summoning of jurors therefrom, was taken up and considered.

Senator Dowell moved that the committee substitute be substituted for the original bill.

Carried.

Senator Allen moved the adoption of the following amendment:

Amend by striking out the word "hereafter" in line one, Section One (1), and inserting in lieu thereof the words "during the years 1907 and 1908."

Adopted.

Senator Dunham moved the adoption of the following amendment:

I move to amend Section One (1) by inserting after the word "names," being first word in the sixth line, the following: "Or that the term for which lists were drawn has expired."

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clarke, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Lambert, McKlveen, McManus, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Stuckslager, Taylor, Turner, Wade, Warren,

Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were :

None.

Absent or not voting :

Senators Crossley, Jamison of Clarke, Kinne, Mattes, Moon, Stirton—6.

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 Gilliland, Senate File No. 194, a bill for an act authorizing cities of the first class to levy taxes for the purpose of paying for building and reconstruction of bridges and for the issuance of bonds or certificates against such levies, was taken up and considered.

The bill was read for information.

Senator Gilliland moved that the rule be suspended, the reading just had be considered its third reading, and the bill placed upon its passage.

Carried.

On the question, "Shall the bill pass?"

The yeas were :

Senators Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Eckles, Elerick, Ericson, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were :

None.

Absent or not voting :

Senators Allen, Crossley, Dowell, Dunham, Foley, Moon, Peterson, Stuckslager, Taylor, Whiting—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 Gilliland, Senate File No. 262, a bill for an act to provide for sewer outlets and purifying plants in cities of the second class and towns, was taken up and considered.

The bill was read for information.

Senator Gilliland moved that the rule be suspended, the reading just had be considered its third reading, and the bill placed upon its passage.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators Allen, Crossley, Dowell, Frudden, Hopkins, Moon, Smith of Mitchell, Wade—8.

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

Senator Stuckslager filed the following motion:

An error appearing in Senate Journal of March 7, on page 556, in Senate amendment to Senate File No. 76, the word "two" appearing where it should be "twelve" in line 36, I move that the Journal of this date show such error and its correction.

Carried.

By unanimous consent, on motion of Senator Stookey, Senate File No. 289, a bill for an act to amend the law as it appears in Section Five (5), Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly, and to require assessors

to report "deaths" occurring in their respective districts, was taken up, considered, and the report of committee adopted.

The bill was read for information.

Senator Stookey moved that the rule be suspended, 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, Bruce, Burgess, Clark, DeArmand, DeWolf, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Young—42.

The nays were:

None.

Absent or not voting:

Senators Allen, Crossley, Dowell, Dunham, Hopkins, Jackson, McManus, Saunders—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 Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 324, a bill for an act to repeal Chapter 98, acts of the Thirty-first General Assembly, and to enact a substitute therefor, relative to the registration and publication of pedigrees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be passed.

JAS. E. BRUCE,
Chairman.

Adopted.

By unanimous consent, on motion of Senator Bruce, Senate

File No. 288, a bill for an act to amend Chapter One Hundred and Fifty-two (152) of the acts of the Thirty-first General Assembly, relating to limitations for the commencement of actions, and relating to real property (additional to Chapter Two (2), Title Eighteen (18) of the Code), with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Bruce moved the adoption of the following committee amendment:

Amended by striking out Section Two (2).

in Adopted.

The bill as amended was read for information.

Senator Bruce moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Senators Crossley, Jones, Kimmel, McManus, Nichols, Smith of Mitchell, Turner, Wade, Young—9.

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

On request of Senator Peterson, leave of absence was granted Senator Kimmel until Monday.

By unanimous consent, on motion of Senator Bruce, Senate File No. 201, a bill for an act relating to the vocation of peddlers,

defining the term peddlers so as to include transient merchants and itinerant vendors selling by sample or by taking orders for immediate or future delivery, and to enact a substitute therefor, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Bruce moved that the committee substitute be substituted for the original bill.

Carried.

The bill was read for information.

Senator Jackson moved the adoption of the following amendment:

Amend the bill by striking out the words and figures "twenty-five (\$25.00)" in the eighth line of Section One (1) and inserting in lieu thereof the words and figures "Ten (\$10)."

On the adoption of the amendment a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Bleakly, Eckles, Gilliland, Jackson, McManus, Saunders, Smith of Mitchell, Stookey, Stuckslager, Wade, Whipple—11.

The nays were:

Senators Allen, Bruce, Clarke, DeArmand, Dowell, Dunham, Elerick, Ericson, Foley, Hughes, Jamieson of Page, Jones, Kinne, McKlveen, Mattes, Maytag, Moon, Newberry, Peterson, Seeley, Stirton, Turner, Warren, Whiting, Wilson of Fayette, Wilson of Clinton—26.

Absent or not voting:

Senators Burgess, Crossley, DeWolf, Frudden, Gale, Hopkins, Jamison of Clarke, Kimmel, Lambert, Nichols, Smith of Des Moines, Taylor, Young—13.

So the amendment was lost.

Senator Wilson of Clinton moved the adoption of the following amendment:

Amend by inserting the word "fruit" after the word "fish" in the next to the last line of Section One (1).

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Elerick, Ericson, Foley, Frudden, Gale, Hughes, Jamieson of Page, Jones, Kinne, McKlveen, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Stuckslager, Turner, Wade, Whiting, Wilson of Fayette, Wilson of Clinton—32.

The nays were:

Senator McManus—1.

Absent or not voting:

Senators Crossley, Eckles, Gilliland, Hopkins, Jackson, Jamison of Clarke, Kimmel, Lambert, Nichols, Smith of Des Moines, Smith of Mitchell Stirton, Stookey, Taylor, Warren, Whipple, Young—17.

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 Allen, Senate File No. 319, a bill for an act to amend the law as it appears in Title Fifteen (15), Chapter One (1) of the Code, relating to weights and measures, and inspections of weights and measures, providing for county and State inspection of scales, and making an appropriation for payment of State Sealer, and providing for the punishment for violation of this act.

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

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

HOUSE MESSAGES CONSIDERED.

House asks the recall of House File No. 1, a bill for an act to authorize counties to purchase and maintain real estate for the use of county fairs, additional to Section Four Hundred and Twenty-two (422) of the Code.

Passed on file.

House. File No. 63, a bill for an act to repeal Section Twenty Hundred and Fifty-seven (2057) of the Code, relating to fences required to be constructed by railroad companies, and enacting a substitute therefor.

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

The President announced a communication from the Governor which would require an executive session.

It was moved that the Senate now go into executive session.

Carried.

The Senate went into executive session.

The President laid before the executive session the following communication:

To the Senate of the Thirty-second General Assembly:

I beg to advise your honorable body that, subject to your advice and consent, I have appointed Timothy E. McCurdy, of Hazleton, Buchanan county, Iowa, Custodian of Public Buildings and Property for the term of two years beginning April 1, 1907, and I herewith respectfully submit such appointment for your consideration.

ALBERT B. CUMMINS,
GOVERNOR.

The communication was referred to a committee.

The Senate arose from executive session.

The Senate resumed regular session.

On motion the Senate adjourned until 9 o'clock A. M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, SATURDAY, MARCH 16, A. D. 1907.

Senate met in regular session at 9 o'clock A. M., President Garst presiding.

Prayer was offered by the Rev. W. W. Williams of Mingo, Iowa.

LEAVE OF ABSENCE GRANTED.

On request of Senator Kinne, leave of absence was granted Senator McKlveen until Monday.

On request of Senator Stookey, leave of absence was granted Senator Jamison of Clark until Monday.

PETITIONS AND MEMORIALS.

Senator Whiting presented petition of members of Lodge No. 171, International Association of Machinists, located at Elkhorn, Iowa, asking the passage of Senate File No. 236, by DeWolf.

Referred to Committee on Judiciary.

Senator Nichols presented petition of citizens of Louisa county, asking favorable consideration of Senate Files No. 188, 189, 52 and others, relative to the regulation of shipping and selling of liquors.

Referred to Committee on Suppression of Intemperance.

Senator Young presented petition of residents of Lake City, Iowa, asking the passage of the bill authorizing the giving of pensions to disabled and retired firemen, widows and minor children of deceased firemen.

Referred to Committee on Cities and Towns.

Senator Bruce presented petition of citizens of Griswold, ask-

ing that such steps be taken as are necessary to submit to the voters of Iowa the question of woman's suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Bleakly asked unanimous consent that Senate File No. 20, a bill for an act to repeal Chapter Five (5) of Title Nine (9) of the Code and enact a substitute therefor, be withdrawn and re-referred to the Committee on Insurance.

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 Senate is asked:

House File No. 141, a bill for an act to amend Section Twenty-four Hundred and Eighty-three (2483) 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. 108, a bill for an act repealing Section Eighteen Hundred and Fifty-five (1855) of the Code, and enacting a substitute therefor, limiting the indebtedness 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. 274, a bill for an act to require an annual apportionment and accounting of surplus of life insurance companies as to policies heretofore issued.

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. 361, a bill for an act to limit the expenses of life insurance 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. 207, a bill for an act to repeal Section Four Hundred and Fifty-eight (458) and Four Hundred and Fifty-nine (459) of the Code, and to enact a substitute therefor, relating to taxation of dogs and injuries to domestic animals.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Gilliland, House File No. 171, a bill for an act to amend Section One Thousand Three Hundred and Seventy-three (1373) of the Code, relating to the correction of erroneous assessments, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Gilliland moved that the committee substitute be substituted for the original bill.

Carried.

The bill was read for information.

Senator Saunders moved the adoption of the following amendment:

Amend by adding as Section Two (2) the following:

"SEC. 2. The provisions of this act shall not apply to pending litigation."

Also renumber Section Two (2) as Section Three (3).

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Lambert, Moon, Newberry, Nichols, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stuckslager, Taylor, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—31.

The nays were:

Senator Mattes—1.

Absent or not voting:

Senators Allen, Crossley, DeArmand, DeWolf, Dunham, Gale, Jamieson of Page, Jamison of Clark, Jones, Kimmel, Kinne, McKlveen, Maytag, Seeley, Stirton, Stookey, Turner, Wade—18.

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 Lambert, Senate File No. 267, a bill for an act to permit fraternal beneficiary societies, orders or associations to acquire and own real estate for their own use, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Lambert moved the adoption of the following committee amendment:

Amend so that the title will read as follows: "An act permitting fraternal beneficiary societies, orders or associations to purchase and own real estate; to erect a building thereon and occupy and rent the same".

Adopted.

Senator Lambert moved the adoption of the following committee amendment:

Amend Section One (1) of the bill by striking out of the fifth line the following: "10 per cent," and by inserting in lieu thereof the words and figures "ten (10) per cent".

Adopted.

Senator Lambert moved the adoption of the following committee amendment:

Strike Section Two (2) from the bill.

Adopted.

Senator Lambert moved the adoption of the following amendment:

Provided that nothing in this act shall be construed to permit the officials or board of directors of such society, order or association to make such investment without authority specifically granted by the

said society, order or association through its grand or supreme lodge or convention.

Adopted.

The bill as amended was read for information.

Senator Lambert moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jones, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Stookey, Stuckslager, Taylor, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—38.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeWolf, Dunham, Jamieson of Page, Jamison of Clarke, Kimmel, McKlveen, Peterson, Smith of Mitchell, Stirton, Turner, Wade—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 Hopkins, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 287, a bill for an act to aid in the acquisition of terminal facilities and power for interurban railways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill herewith presented be substituted therefor.

SUBSTITUTE FOR SENATE FILE NO. 287.

A BILL for an act to aid in the acquisition of terminal facilities and power for interurban railway companies.

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

SECTION 1. That all persons, firms or corporations now or hereafter owning or operating electric street railways in any city or town of

this State, are hereby authorized and required to permit the use of their terminals, tracks, poles and wires in the streets, alleys and public places of said cities and towns, and such portions of their tracks, poles and wires as may cross property owned by said street railway companies in such cities and towns, by the passenger and combination baggage cars of interurban railway companies, for the transportation of passengers, mail, express and baggage, and said street railways shall furnish to said interurban railways, electric power for the operation of their cars and the transaction of their said business in said cities and towns; but said street railways shall not be required to furnish electric power except during such hours as their street railway cars may be in operation. Said interurban railways shall pay a reasonable compensation for the privileges above mentioned and the power that may be furnished them under this act. If an agreement for the use of the facilities so furnished and the compensation for the same cannot be made between the interested parties, the question as to the amount of such compensation and the conditions under which said facilities shall be furnished, used and operated, shall be heard and determined by the Board of Railway Commissioners of the State of Iowa, on application to the said Board by either party to the controversy, ten days' notice in writing of such application being served upon the opposite party, and any order entered by said Board of Railway Commissioners shall be subject to modification or review by said Board of Railway Commissioners upon notice being given as herein provided.

SEC. 2. All acts and parts of acts in conflict herewith are hereby repealed.

SEC. 3. The provisions of this act shall not affect any pending litigation.

SEC. 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 Des Moines Capital, newspapers published in Des Moines, Iowa.

And when so amended the bill do pass.

F. M. HOPKINS,
Chairman.

The substitute was read first and second time and passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 234, a bill for an act to authorize the reconsignment without charge to a new destination of property forwarded by a common carrier, and to provide for the treatment of the same as an original shipment, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that Section One (1) of said bill be amended to read as follows:

On request of the consignee it shall be the duty of any com-

mon carrier of freight to reconsign, rebill and reship from any place of destination within the State to any other place within the State any property in carload lots, whether accompanied by any person or not, brought to said place of destination over its own or other line, and treat the same in all respects as an original shipment between such places, provided the charges to first place of destination are paid or secured to the satisfaction of such company.

And when so amended the bill do pass.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 318, a bill for an act providing for reports and investigations of accidents on railways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. M. HOPKINS,
Chairman.

Adopted.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 229, a bill for an act requiring the Board of Railroad Commissioners to establish and put in effect certain freight rates under certain conditions, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. M. HOPKINS,
Chairman.

Adopted.

So the bill was indefinitely postponed.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 305, a bill for an act to amend Section Twenty-one Hundred and Sixteen (2116) of the Code, relating to the duty of railroads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 202 and the substitute therefor, a bill for an act to repeal Sections Twenty-one Hundred and Fifty-three (2153) and Twenty-one Hundred and Fifty-five (2155) of the Code, relating to joint freight rates over two or more connecting lines of railway between points within this State, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: Strike all of the substitute after the enacting clause and insert in lieu thereof the following:

SUBSTITUTE FOR SENATE FILE NO. 202.

SECTION 1. That Section Two Thousand One Hundred and Fifty-three (2153) of the Code be and the same is hereby repealed and the following enacted in lieu thereof:

Every owner or consignor of freight to be transported by railway from any point within this State to any other point within this State shall have the right to require that the same shall be transported over two or more connecting lines of railway, to be transferred at the connecting point or points without change of car or cars if in carload lots, and with or without change of car or cars if in less than carload lots, whenever the distance from the place of shipment to destination, both being within this State, is less over two or more connecting lines of railway than it is over a single line of railway, or where the initial line does not reach the place of destination; and it shall be the duty, upon the request of any such owner or consignor of freight, made to the initial company, of such railway companies whose lines so connect, to transport the freight without change of car or cars if the shipment be in a carload lot or lots, and with change of car or cars if it be in less than carload lots, from the place of shipment to destination, whenever the distance from the place of shipment to destination, being within this State, is less than the distance over a single line, or when the initial line does not reach the point of destination, for a reasonable joint through rate. This section shall apply to inter-urban railways and their connection with ordinary steam railways.

SEC. 2. Section Two Thousand One Hundred and Fifty-five (2155) of the Code is hereby repealed and the following enacted in lieu thereof:

The Board of Railroad Commissioners shall, within ten days after this act takes effect, notify in writing every railway company owning or operating a railway within this State that it will, upon a day named in such notice, which day shall not be more than thirty days after giving said notice, take up for investigation the subject of establishing joint through rates, as herein provided, between the railway lines in this State. It shall also give a similar notice, directed "To

whom it may concern," and so publish the same that it will have general circulation throughout the State. All corporations, partnerships and persons interested in the subject may present themselves at the hearing and be heard, under such rules and regulations as the Board may prescribe. At the end of the investigation, which shall be carried on with all due diligence, the said Board of Railroad Commissioners shall make and publish a schedule of joint through railway rates over such routes and for such traffic as in its judgment the fair and reasonable conduct of business requires shall be done by carriage over two or more lines of railway, and will promote the interests of the people of this State. In the making thereof, and in changing, revising or adding to the same, the Board shall be governed as nearly as may be by the preceding sections of this chapter, and shall take into consideration, among other things, the rates established for shipments within this State for like distances over single lines, the rates charged by the railway companies operating such connecting lines for joint interstate shipments, and the increased cost, if any, of a joint through shipment as compared with a shipment over a single line for like distances. In establishing such rates for shipments in less than carload lots, in cases where at the connecting point or points in the line of shipment the connecting railways have not and are not required to have a common station or stopping place for loading or unloading freight, the Board shall make such lawful regulations as in its judgment will be fair and just respecting the transportation of such freight from the usual unloading place of one railway to the usual loading place of the other. The joint through rates thus established shall be promulgated by mailing a printed copy thereof to each railway company affected thereby, and shall go into effect within ten days after they are so promulgated; and from and after that time an official printed schedule thereof shall be prima facie evidence, in all the courts of this State, that the rates therein fixed are just and reasonable for the joint transportation of such freight between the points and over the lines described therein. The said Board shall deliver a printed copy of said schedule to any person making application therefor.

The share of any railway company of any joint through rate shall not be construed to fix the charge that it may make for transportation for a similar distance over any part of its line for single rate shipment or the share of any other joint rate. The Board, upon such reasonable notice as it may prescribe, may, upon its own motion or upon the application of any person, firm or corporation interested therein, revise, change or add to any joint through rates fixed or promulgated hereunder; and any such revised, changed or added joint rates shall have the same force and effect as the rate or rates originally established. The said Board is empowered to authorize, upon proper hearing, any railway company whose line connects the point of shipment with the point of destination, but requires a longer haul than the joint haul over which a joint rate has been established, to charge the joint rate without affecting the charge upon any other part of its line, except that the charge for a like kind of property must not be greater

for a shorter than for a longer distance over its railroad, all of the shorter haul being included within the longer. This section shall apply to interurban railways and their connection with ordinary steam railways.

SEC. 3. This act, being deemed of immediate importance, shall be in full force and effect from after its publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.

And when so amended the bill do pass.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

Senator Newberry asked unanimous consent that Senate File No. 18 be made a special order to follow special order set for Monday, March 18, at 10:30 o'clock A.M.

Consent granted.

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. 314, a bill for an act to legalize certain ordinances and official acts of the town council of Mondamin, Harrison 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 bill by striking out the figures "1897" in the fourth line of the paragraph marked "2d", before the enacting clause; also in the same line the words "of Iowa".

And when so amended the bill 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. 159, a bill for an act to amend Chapter Six (6) of Title Nine (9) of the Code, relating to the distribution of dividends on stock in stock companies writing participating life insurance policies, beg leave to report that they have 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 Insurance Committee.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was referred to Committee on Insurance.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 284, a bill for an act relating to the official inspection and weighing of grain at terminal cities and towns under the control and direction of the State Board of Railway Commissioners; providing for the appointment of a chief inspector and his assistants, and defining the manner in which inspection and weighing of grain shall be made; also prohibiting persons from interfering with inspectors and weigh-masters in the discharge of their duties; and prohibiting persons from making inspection of or weigh grain in any city or town where official inspection has been established, and providing penalties for violation of this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend the title of the bill by striking out the word "terminal" appearing before the word "cities" in the second line, and the words "and towns" following the said word "cities" in the second line; and the words "or town" following the word "city" appearing in the ninth line thereof.

Amend Section One (1) by striking out the word "terminal" preceding the word "cities" in the third line of said bill and the words "and towns" following said word "cities".

Amend Section Two (2) by adding the letter "s" to each of the words "owner" and "proprietor" in the first line; also by striking out the words "or town having railway terminals" following the word "city" in the second line; also by striking out the words "or town" following the word "city" in the fifth, eighth, ninth and last lines of said section.

Amend Section Ten (10) by inserting the word "cars" at the end of the second line following the word "of".

Amend the bill by striking out Section Thirteen (13) and renumber the sections following in consecutive order.

Amend Section Fifteen (15) by striking out the word "terminal" appearing before the word "city" in the third line; also by striking out the words "or town" following said word "city"; also by striking out the words "or town" following the word "city" in the sixth line thereof.

Amend Section Sixteen (16) by striking out the words "or town" following the word "city" in the second line thereof.

Amend Section Eighteen (18) by inserting a comma after the word "cleaning" in the fifth line, and adding the word "storing" after said comma.

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 183, a bill for an act providing for placing a statue in bronze of James Harlan, ex-Senator of Iowa, in the National Statuary Hall in the Capitol building of 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.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, 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 making appropriations to the State Historical Society of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend Section One (1) by striking out the words and figures "six thousand dollars (\$6,000.00)" and insert in lieu thereof the words and figures "four thousand five hundred dollars (\$4,500.00)".

That Section Two (2) be stricken from the bill and that Section Three (3) be made Section Two (2).

And when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 217, a bill for an act making appropriations to the State Historical Society 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.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred substitute for Senate File No. 18, a bill for an act regulating the sale

of agricultural seeds, concentrated commercial feeding-stuffs and the materials from which they are manufactured; defining concentrated commercial feeding-stuffs, and what shall constitute purity in various kinds of seeds; prohibiting the adulteration and providing for the correct weighing and marking of agricultural seeds and concentrated commercial feeding-stuffs; and providing for the collection of samples, analyses of the same, and fixing penalties for its violation; and vesting the execution and enforcement of this act in the State 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 be amended as follows:

Amend Section One (1) Number One (1) fifth item, of the substitute bill, by inserting after the word "fifth" the following: "except in the case of condimental stock food; patented, proprietary or trade-marked stock and poultry foods, claimed to possess medicinal or nutritive properties, or both".

Amend Section Two (2) of the substitute bill by adding thereto the following:

"Except condimental stock food; patented, proprietary or trade-marked stock or poultry foods, claimed to possess medicinal or nutritive properties, or both; and these shall be labeled or branded so as not to deceive or mislead the purchaser in any way, and the contents of any such package shall not be substituted in whole or in part for any other contents.

"Any statement, design or device upon the label or package regarding the substances contained therein, shall be true and correct, and any claim made for the feeding, condimental, tonic or medicinal value shall not be false or misleading in any particular.

"The name and percentage of any deleterious or poisonous ingredient or ingredients shall be plainly stated upon the outside of the package or container".

Amend Section Five (5) of the substitute bill as follows: Strike out of Section Five (5) of the substitute as it appears in the Journal, after the semicolon in the sixth line thereof, the words: "except in the case of condimental stock or poultry foods, the fee paid shall be one dollar (\$1.00) per ton", and insert in lieu thereof the following:

"Every manufacturer, importer, dealer or agent for any condimental, patented, proprietary or trade-marked stock or poultry foods, or both, shall pay to the State Food and Dairy Commissioner, on or before the fifteenth day of July of each year, a license fee of one hundred dollars (\$100.00). Whenever the manufacturer or importer of such foods shall have paid the fee herein required, no other person or agent of such manufacturer or importer shall be required to pay such license fee".

Also strike out of Section Five (5) of the substitute bill, as it appears in the Journal, after the word "provided", the semicolon and the remainder of the section, and insert a period.

Amend Section Five (5) of the substitute bill by adding: "provided, that any dealer who sells at one time to any other person one ton or more of concentrated commercial feeding-stuffs shall be held to have complied with the provisions of **this section** if he delivers to the pur-

chaser the tax tags herein required, even though they may not be attached to the various packages”.

Amend Section Sixteen (16), line eleven, by striking out the figures “95” in the substitute bill, and inserting in lieu thereof the figures “94”.

Amend Section Eighteen (18) of the substitute bill by adding thereto the following: “provided, that no one shall be convicted for violation of the provisions of Section Ten (10) of this act if he is able to show that the weed seeds named in Section Ten (10) are present in quantities not more than one in ten thousand, and that due diligence has been used to find and remove said seeds”.

Amend Section Nineteen (19) of the substitute bill by striking out of the second and third lines thereof the words: “a sum not exceeding the amount of fees collected under its provisions”, and inserting in lieu thereof the words “a sum not exceeding three thousand dollars (\$3,000.00) annually”.

And when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 101, a bill for an act appropriating money to J. H. Cownie, Jr., R. R. McCutchen and F. M. Hubbell, as trustees, to reimburse them for the funds advanced and used in the purchase of a tract of land for the State as an addition to 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 amended by inserting in Section Two (2), line three, after the word “showing”, the words “a good and sufficient title and”, and when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Maytag, Senate File No. 286, a bill for an act re-appropriating money for the purchase of land for the State Hospital for Inebriates at Knoxville, was taken up and considered.

The bill was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, DeArmand, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Clark, Crossley, DeWolf, Dunham, Kimmel, Jamison of Clark, McKlveen, Turner, Wade—9.

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

Senator Bruce moved that the request of the House for the recall of substitute for House File No. 1 be granted.

Carried.

By unanimous consent, on motion of Senator Gilliland, Senate File No. 111, a bill for an act relating to the organization and officers of cities and towns, amending Chapter Two (2), Title Five (5) of the Code and of the law as it appears in the Supplement to the Code, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Gilliland moved the adoption of the following committee amendment:

Amend Section Four (4) by striking out the word "and" following the comma; also by striking out the period after the word "assessor" in the fourth line of said section, inserting a comma in lieu thereof, and adding thereto the following: "and in cities where there is no superior court a police judge".

Adopted.

Senator Gilliland moved the adoption of the following committee amendment:

Amend sub-Section Two (2) of Section Eight (8) by striking out the comma after the word "commissioner" in the second line thereof, and also by striking out from the second and third lines thereof the words "where there is no superior court, a police judge".

Adopted.

Senator Gilliland moved the adoption of the following committee amendment:

Amend by inserting after Section Twelve (12) the following sections:

SEC. 13. In any city having a population of thirty thousand (30,000) or more the council may, by ordinance, establish a board of public works and in cities having a population of fifty thousand (50,000) or more, there is hereby created a board of public works. Such board of public works shall consist of two members residents of the city, to be appointed by the mayor, and upon the establishment of said board one member shall be appointed for two years, and one for three years, and their successors shall be appointed for three years. The members shall hold office until their successors are appointed and qualified. The mayor shall have the power to remove any member of the board of public works for cause at any time. Vacancies shall be filled by the mayor. No member of the council or city official shall be a member of such board. The provisions of this section shall not affect the terms of those now constituting the board of public works in those cities in which a board of public works has heretofore been established by ordinance, but the successors to such members shall be appointed under the provisions of this act.

SEC. 14. Section Eight Hundred and Sixty-five (865) of the Code is hereby repealed and the following enacted in lieu thereof:

The board shall consult the city engineer regarding the plans and specifications and the advisability of doing or making contemplated improvements or work, and he shall, from time to time, furnish it with estimates of the cost of material and plans and specifications for any work to be ordered or advertised to be done, and report to the board whether such improvement or work is made and completed according to contract. Whenever the members of the board of public works are unable to agree upon any matter which is before it for decision, including the appointing of agents and employes, the city engineer shall decide such matter or appointment, and his decision shall be the decision of the board of public works. Such decision shall be rendered in writing and shall be filed in the office of the board of public works, and when so filed shall have the force and effect of a finding or determination by the board of public works.

SEC. 15. Section Eight Hundred and Sixty-seven (867) of the Code is hereby amended by striking out all of such section after the word "used" in the twelfth line thereof.

SEC. 16. Section Eight Hundred and Seventy-one (871) of the Code is hereby amended by adding thereto the following:

No claim for any work done or material furnished in the construction of any public improvement shall be allowed by the council unless the same has first been approved by the board of public works.

SEC. 17. Section Eight Hundred and Seventy-three (873) of the Code is hereby amended by striking out the words "subject to the approval of the council" in the second line thereof, and by striking out all of the said section after the word "work" in the third line thereof.

Amend by changing the numbers of Sections Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16) thereof to Eighteen (18), Nineteen (19), Twenty (20) and Twenty-one (21), respectively.

Adopted.

Senator Gilliland moved that the bill under consideration be made a special order for Wednesday at 9:30 o'clock A.M.

Carried.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 318, a bill for an act to amend Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly, relating to definition of adulterated foods, and fixing standard for certain food products, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAS. E. BRUCE,
Chairman.

Adopted.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Bruce, Senate File No. 216, a bill for an act regulating fraternal beneficiary societies, orders or associations, establishing a standard mortality table therefor, requiring adequate rates with an annual accounting and distribution, providing for valuation of certificates, designating plans of insurance and beneficiaries, and declaring any contract in conflict herewith void, with report of committee recommending indefinite postponement, was taken up, considered and the report of the committee adopted.

So the bill was indefinitely postponed.

By unanimous consent, on motion of Senator Jackson, House File No. 147, a bill for an act to legalize the acts of the city council of LeMars, Iowa, in allowing certain sums of money to the volunteer fire department of said city; in allowing certain sums of money to the Grand Army Post, and instructor for a band, and in allowing to the members of the council of said city a sum claimed to be in excess of that provided by law, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

By unanimous consent, on motion of Senator Smith of Mitchell, Senate File No. 248, a bill for an act to amend Section 156 and 157 of the Code, relating to the election and duties of the secretary of the executive council and defining the duties of said secretary, and to amend Sections One Thousand Three Hundred and Seventy-eight (1378) and One Thousand Three Hundred and Eighty-two (1382) of the Code, 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, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Eekles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kinne, Lambert, McManus, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeWolf, Dunham, Jamison of Clarke, Kimmel, McKlveen, Moon, Stuckslager, Wade—9.

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.

Senator Seeley, 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. 283, a bill for an act legalizing an ordinance of the city council of the city of Red Oak Junction (now Red Oak), Iowa, passed February 5, A. D. 1900, granting to the Red Oak Gas Light Company the use of the streets of Red Oak Junction (now Red Oak), Iowa, with certain con-

ditional rights and privileges, for the purpose of erecting, purchasing, owning and maintaining a gas works system in said city.

Also:

Senate File No. 8, a bill for an act to amend the law as it appears in Chapter Sixty-eight (68), acts of the Thirtieth General Assembly and in Chapter Eighty-five (85) of the acts of the Thirty-first General Assembly, in relation to levees, ditches, drains and watercourses.

Also:

Senate File No. 104, a bill for an act to amend Chapter Two (2) of Title Ten (10) of the Code, relating to United States levees, as amended by Chapter Eighty-three (83) of the laws of the Thirty-first General Assembly, to promote the public health, convenience and welfare, by leveeing, ditching and draining the lands of the State, and providing for the assessment and collection of the costs and expenses of the same and issuing improvement certificates, or issuing and selling bonds therefor.

Also:

Senate File No. 55, a bill for an act to prohibit and regulate hospitals, institutions and places created for or maintained and used as lying-in or maternity hospitals, or places for the reception, care and treatment of women in labor.

Also:

Senate File No. 169, a bill for an act relating to State documents and publications, providing for the appointment of a document librarian, fixing his salary, and amending Section One (1), Chapter Five (5) of the acts of the Thirtieth General Assembly.

Also:

Senate File No. 206, a bill for an act to amend Sections Two (2), Four, (4) and Five (5) of Chapter Fifty-three (53) of the acts of the Thirtieth General Assembly, in regard to motor vehicles.

W. B. SEELEY,

Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 283, a bill for an act legalizing an ordinance of the city council of the city of Red Oak Junction (now Red Oak), Iowa, passed February 5, A. D. 1900, granting to the Red Oak Gas Light Company the use of the streets of Red Oak Junction (now Red Oak), Iowa, with certain conditional rights and privileges, for the purpose of erecting, purchasing, owning and maintaining a gas works system in said city.

Also:

Senate File No. 8, a bill for an act to amend the law as it appears in Chapter Sixty-eight (68), acts of the Thirtieth General Assembly and in Chapter Eighty-five (85) of the acts of the Thirty-first General Assembly, in relation to levees, ditches, drains and watercourses.

Also:

Senate File No. 104, a bill for an act to amend Chapter Two (2) of Title Ten (10) of the Code, relating to United States levees, as amended by Chapter Eighty-three (83) of the laws of the Thirty-first General Assembly, to promote the public health, convenience and welfare, by leveeing, ditching and draining the lands of the State, and providing for the assessment and collection of the costs and expenses of the same and issuing improvement certificates, or issuing and selling bonds therefor.

Also:

Senate File No. 55, a bill for an act to prohibit and regulate hospitals, institutions and places created for or maintained and used as lying-in or maternity hospitals, or places for the reception, care and treatment of women in labor.

Also:

Senate File No. 169, a bill for an act relating to State documents and publications, providing for the appointment of a document librarian, fixing his salary, and amending Section One (1), Chapter Five (5) of the acts of the Thirtieth General Assembly.

Also:

Senate File No. 206, a bill for an act to amend Sections Two (2), Four, (4) and Five (5) of Chapter Fifty-three (53) of the acts of the Thirtieth General Assembly, in regard to motor vehicles.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

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. 283, a bill for an act legalizing an ordinance of the city council of the city of Red Oak Junction (now Red Oak), Iowa, passed February 5, A. D. 1900, granting to the Red Oak Gas Light Company the use of the streets of Red Oak Junction (now Red Oak), Iowa, with certain conditional rights and privileges, for the purpose of erecting, purchasing, owning and maintaining a gas works system in said city.

Also:

Senate File No. 8, a bill for an act to amend the law as it appears

in Chapter Sixty-eight (68), acts of the Thirtieth General Assembly and in Chapter Eighty-five (85) of the acts of the Thirty-first General Assembly, in relation to levees, ditches, drains and watercourses.

Also:

Senate File No. 104, a bill for an act to amend Chapter Two (2) of Title Ten (10) of the Code, relating to United States levees, as amended by Chapter Eighty-three (83) of the laws of the Thirty-first General Assembly, to promote the public health, convenience and welfare, by leveeing, ditching and draining the lands of the State, and providing for the assessment and collection of the costs and expenses of the same and issuing improvement certificates, or issuing and selling bonds therefor.

Also:

Senate File No. 55, a bill for an act to prohibit and regulate hospitals, institutions and places created for or maintained and used as lying-in or maternity hospitals, or places for the reception, care and treatment of women in labor.

Also:

Senate File No. 169, a bill for an act relating to State documents and publications, providing for the appointment of a document librarian, fixing his salary, and amending Section One (1), Chapter Five (5) of the acts of the Thirtieth General Assembly.

Also:

Senate File No. 206, a bill for an act to amend Sections Two (2), Four, (4) and Five (5) of Chapter Fifty-three (53) of the acts of the Thirtieth General Assembly, in regard to motor vehicles.

W. B. SEELEY,
Chairman.

Adopted.

HOUSE MESSAGES CONSIDERED.

House File No. 141, a bill for an act to amend Section Two Thousand Four Hundred and Eighty-three (2483) of the Supplement to the Code.

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

House File No. 108, a bill for an act repealing Section One Thousand Eight Hundred and Fifty-five (1855) of the Code, and enacting a substitute therefor, limiting the indebtedness of state and savings banks.

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

House File No. 274, a bill for an act to require an annual apportionment and accounting of surplus of life insurance companies as to policies heretofore issued.

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

House File No. 361, a bill for an act to limit the expenses of life insurance companies.

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

House File No. 207, a bill for an act to repeal Section Four Hundred and Fifty-eight (458) and Four Hundred and 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 referred to Committee on Ways and Means.

The President announced that he had signed, in the presence of the Senate, Senate Files No. 169, 104, 8, 283, 206 and 55.

INTRODUCTION OF BILLS.

By Senator Maytag, Senate File No. 320, a bill for an act to amend Section Two Thousand Two Hundred and Sixty-one (2261) of the Code and all subsequent laws, relating to the county commissioners of insanity.

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

On motion of Senator Allen, Senate File No. 76, a bill for an act repealing Sections One Thousand Eight Hundred and Seventy-two (1872) and One Thousand Eight Hundred and 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 passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Allen moved the adoption of the following committee amendment:

That Section One (1) be amended by striking out the word "section" and figures "1872" in line three thereof, and also the words "quarterly statements" in said line three, and the period following the figure

"2" in "1872", and the period following the word "statement", and also striking out the quotation marks before the said word "section".

Adopted.

Senator Allen moved the adoption of the following committee amendment:

That the word "one" in line seven of the original bill, between the words "of of" be stricken out and the word "two" be inserted in lieu thereof.

Adopted.

Senator Allen moved the adoption of the following committee amendment:

That sub-divisions numbered five (5) and six (6) be stricken out and numbered five (5), and the words "other liabilities" be inserted in lieu thereof. That sub-division seven (7) be numbered six (6); that sub-division eight (8) be numbered seven (7); that sub-division nine (9) be numbered eight (8); that sub-division ten (10) be numbered nine (9); that sub-division eleven (11) be numbered ten (10); that sub-division twelve (12) be numbered eleven (11); that sub-division thirteen (13) be numbered twelve (12); that sub-division fourteen (14) be numbered thirteen (13).

Adopted.

Senator Allen moved the adoption of the following committee amendment:

That Section Two (2) be amended by striking out the word "section", and the figures "1873", and the period following the figures "1873" in line four of Section Two (2), and also by striking out the quotation marks before the said word "section".

Adopted.

Senator Allen moved the adoption of the following committee amendment:

That Section Two (2) be further amended by striking out the words "daily or weekly" in line ten of Section Two (2), and also the words "daily or weekly" in line two of said section.

Adopted.

Senator Allen moved the adoption of the following committee amendment:

That Section Two (2) be further amended by striking out the colon after the word "office" in line twenty-one of said section, and inserting a comma in lieu thereof, and by adding the words and punctuation "but shall not be open to public inspection".

Adopted.

Senator Allen moved the adoption of the following committee amendment:

That Section Two (2) be further amended by striking out the words "with rates of interest paid" after the word "deposit", in line four of sub-division four (4), and inserting a semicolon after the word "deposit".

Adopted.

Senator Allen moved the adoption of the following committee amendment:

That lines five, six and seven under sub-division four (4) be stricken out and the following inserted in lieu thereof:

Interest paid on time deposits:	(3 months.....Per cent.
	(6 months.....Per cent.
	(12 months.....Per cent.

Adopted.

Senator Allen moved the adoption of the following committee amendment:

That Section Two (2) be further amended by striking out the word "excepting" in sub-division number sixteen (16), and inserting in lieu thereto the word "including".

Adopted.

Senator Allen moved the adoption of the following amendment:

That Section Three (3) be stricken out.

Adopted.

Further consideration of the bill was postponed at this time for the insertion of the amendments.

Senator Warren moved that when the Senate adjourn it be until 1:30 o'clock P. M.

Senator Smith of Mitchell moved to amend by making the time 2 o'clock P. M.

Senator Stookey moved as a substitute for the preceding motion and amendment that when the Senate adjourn it be until 9:30 o'clock A.M. Monday.

The substitute carried.

On request of Senator Stirton, leave of absence was granted Senator Stuckslager until Monday.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Allen, Senate File No. 258, a bill for an act to amend Section Five Thousand Seven Hundred and Eight (5708) of the Code, relating to the disposal of stone at Anamosa for the improvement and macadamizing of streets and highways, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

By unanimous consent, on motion of Senator Allen, Senate File No. 259, a bill for an act legalizing the ordinances, acts, proceedings and resolutions passed by the town council of Pocahontas, of Pocahontas county, Iowa, and legalizing all the acts, proceedings and resolutions adopted or passed by the said town council in connection with the voting and granting of a franchise to the Havelock Mutual Telephone company, as set forth in ordinance No. 41 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 Allen moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Clark, DeArmand, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Hopkins, Hughes, Jackson, Jones, Kinne, Lambert, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—35.

The nays were:

Senator Gilliland—1.

Absent or not voting:

Senators Burgess, Crossley, DeWolf, Dunham, Kimmel, Jamieson of Page, Jamieson of Clarke, McKlveen, McManus, Maytag, Stookey, Stuckslager, Wade, Whiting—14.

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 herewith asks to recall Senate File No. 77, 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.

C. R. BENEDICT,
Chief Clerk.

Senate resumed consideration of Senate File No. 76, a bill for an act repealing Sections One Thousand Eight Hundred and Seventy-two (1872) and One Thousand Eight Hundred and 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.

Senator Jackson moved the adoption of the following amendment:

Amend the bill by inserting in Section One (1) as sub-division fourteen (14) the following: "The total amount of liabilities to such association on the part of the directors thereof".

Senator Allen moved that further consideration of the bill be postponed.

Carried.

By unanimous consent, on motion of Senator Whiting, Senate File No. 314, a bill for an act to legalize certain ordinances and official acts of the town council of Mondamin, Harrison county, Iowa, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Whiting moved the adoption of the following committee amendment:

Amend the bill by striking out the figures "1897" in the fourth line of the paragraph marked "2d", before the enacting clause; also in the same line the words "of Iowa".

Adopted.

The bill as amended was read for information.

Senator Whiting moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Kinne, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Warren, Whipple, Whiting, Wilson of Fayette—35.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeWolf, Dunham, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, McKlveen, McManus, Saunders, Stucks-lager, Turner, Wade, Wilson of Clinton, Young—15.

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

Senator Dunham asked unanimous consent that Senate File No. 223 be made a special order for Wednesday at 10 o'clock A.M.

Consent granted.

Senator Dunham asked unanimous consent that Senate File No. 255 be made a special order to follow the special orders already made for Monday forenoon and that consideration of Senate Files No. 257 and 256 follow.

Consent granted.

By unanimous consent, on motion of Senator Gilliland, Senate File No. 227, a bill for an act to prohibit the discharge into open air of dense smoke within the corporate limits of cities which now have or may have hereafter a population of fifty thousand (50,000) inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement thereof, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Gilliland moved the adoption of the following committee amendment:

Amend the title by striking from the second, third and fourth lines thereof the words and figures "which now have or may have hereafter a population of fifty thousand (50,000) inhabitants" and inserting in lieu thereof the words and figures "of the first class or special charter cities having twenty thousand (20,000) or more inhabitants".

Adopted.

Senator Gilliland moved the adoption of the following committee amendment:

Amend Section One (1) by striking out the first sentence thereof, following the word and figure "Section 1" and inserting the following in lieu thereof: "The emission or discharge into the open air of dense smoke within the corporate limits of cities of this State of the first class or special charter cities having twenty thousand (20,000) or more inhabitants, is hereby declared a public nuisance".

Adopted.

The bill as amended was read for information.

Senator Gilliland moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jamieson of Page, Jones, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

None.

Absent or not voting:

Senators Burgess, Crossley, DeWolf, Jackson, Jamison of Clark, Kimmel, McIlveen, Saunders, Stuckslager, Wade—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 Eckles, House File No. 348, a bill for an act to amend the law as it appears in Section

Two Thousand Six Hundred and Eight (2608) of the Supplement to the Code, relating to the Soldiers' Home at Marshalltown, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Eckles moved the adoption of the following committee amendment:

Strike out of line four of Section One (1) of said bill the word "fifteen" and insert in lieu thereof the word "sixteen".

Adopted.

The bill carrying an appropriation, the President ruled that under the rules it would have to be referred to the Committee on Appropriations, and it was so referred.

By unanimous consent, on motion of Senator Stookey, Senate File No. 290, a bill for an act to amend subdivision 16 of Section Six Hundred and Sixty-eight (668) of the Code, in relation to the duties of city council, and amending said subsection 16 and making the same apply to cities of the second class, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stookey moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Clark, DeArmand, Eckles, Elerick, Ericson, Foley, Frudden, Hopkins, Hughes, Jackson, Jones, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—34.

The nays were:

None.

Absent or not voting:

Senators Bruce, Crossley, DeWolf, Dowell, Dunham, Gale, Gil-

lilland, Jamieson of Page, Jamison of Clarke, Kimmel, McKlveen, Saunders, Stuckslager, Turner, Wade, Warren—16.

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 Eckles, Senate File No. 279, a bill for an act in regard to the admission to the Soldiers' Home and payment for support by members, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Eckles moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, DeArmand, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kinne, Mattes, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—35.

The nays were:

None.

Absent or not voting:

Senators Clarke, Crossley, DeWolf, Dunham, Gale, Jamison of Clarke, Kimmel, Lambert, McKlveen, McManus, Maytag, Saunders, Stirton, Stuckslager, Wade—15.

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 Elerick, Senate File No. 321, a bill for an act to enable incorporated towns located in more than one township the power to establish a voting precinct for such incorporated town.

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

HOUSE MESSAGE CONSIDERED.

House asks the return of Senate File No. 77, a bill for an act making appropriation for the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal School.

Senator Maytag moved that the request of the House be granted.

Carried.

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

The President announced that he had signed, in the presence of the Senate, Senate File No. 54.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 54, a bill for an act relating to the assignment of certificates of purchase at tax sales, and providing for the issuance of duplicate certificates of purchase in case of loss or destruction of original, amending Section Fourteen Hundred and Thirty-two (1432) of the Code, repealing Section Fourteen Hundred and Thirty-three of the Code, and enacting a substitute therefor.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 54, a bill for an act relating to the assignment of certificates of purchase at tax sales, and providing for the issuance of duplicate certificates of purchase in case of loss or destruction of original, amending Section Fourteen Hundred and Thirty-two (1432) of the Code, repealing Section Fourteen Hundred and Thirty-three (1433) of the Code and enacting a substitute therefor.

W. B. SEELEY,
Chairman Senate Committee.

PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 54, a bill for an act relating to the assignment of certificates of purchase at tax sales, and providing for the issuance of duplicate certificates of purchase in case of loss or destruction of original, amending Section Fourteen Hundred and Thirty-two (1432) of the Code, repealing Section Fourteen Hundred and Thirty-three (1433) of the Code, and enacting a substitute therefor.

W. B. SEELEY,

Chairman.

Adopted.

Senator Gilliland moved that the Senate do now go into executive session.

Carried.

The Senate went into executive session.

The Senate arose from executive session.

Senate resumed regular session.

Senator Eckles moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9:30 o'clock A. M. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, MARCH 18, A. D. 1907.

Senate met in regular session at 9:30 o'clock, President Garst presiding.

Prayer was offered by the Rev. H. L. Wilkins of Manson, Iowa.

PETITIONS AND MEMORIALS.

Senator Seeley presented petition of citizens of Winfield, Iowa, asking the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

On request of Senator Eckles, leave of absence was granted Senator Kinne for the day.

INTRODUCTION OF BILLS.

By Senator Smith of Mitchell, Senate File No. 322, a bill for an act to amend Section Twenty-two Hundred and Seventy (2270) of the Code, relating to settlement of insane patients.

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

By Senator McManus, Senate File No. 323, a bill for an act to legalize the acts and resolutions passed by the board of supervisors of Lee county, Iowa, allowing a certain person appointed to collect delinquent personal tax, a commission in addition to the five per cent provided by statute.

WHEREAS. The Board of Supervisors of Lee county, Iowa, have passed resolutions and entered into a written contract, allowing a person duly appointed by said board to collect delinquent personal tax in said county, a commission in excess of the five per cent provided by statute to-wit: twenty-five per cent; and,

WHEREAS, It was deemed necessary, just and advisable to allow such additional compensation to said collector in order to secure the best results; and,

WHEREAS, Doubts have arisen as to the authority or power of said Board of Supervisors to make such contract, and, in order to avoid any litigation that might hereafter arise therefrom.

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 House was asked:

Senate File No. 300, a bill for an act to amend Section Four Hundred and Forty-eight (448) of the Code, relating to borrowing money for the erection of public buildings in counties having a population of forty thousand (40,000) or over.

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. 28, a bill for an act to amend the law as it appears in Section Four Hundred and Sixty-nine (469), Title Four (4), Chapter One (1) of the Code, relating to the compensation 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 concurrent resolution, in which the concurrence of the Senate is asked:

Be it Resolved by the House, the Senate concurring, That a committee of three be appointed by the Speaker of the House to co-operate with a similar committee to be appointed by the President of the Senate, to prepare and report appropriate resolutions respecting the life, character and public services of ex-Lieutenant Governor Frank T. Campbell, lately deceased.

Speaker appointed: Sullivan of Polk, Meredith of Cass, Sidey of Adair.

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. 14, a bill for an act to prohibit the corrupt influencing of agents, representatives, employes, officers of a private corporation, or public officers acting in behalf of a principal in any business transaction, and provide a penalty therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed Senate substitute to the following bill, in which the concurrence of the House was asked:

House File No. 104, a bill for an act to provide for the preparation of new jury lists where, for any cause, a lawfully constituted grand jury or petit jury cannot be obtained, or lawfully qualified talesmen cannot be selected under the law from those persons who are returned by the election officers to serve as 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. 273, a bill for an act to require an annual apportionment and accounting of surplus of life insurance 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. 1, a bill for an act to amend the law as it appears in Section Four Hundred and Twenty-two (422) of the Code, and Section Sixteen Hundred and Sixty (1660) of the Code, relating to the purchase of land for County Fair Societies.

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. 243, a bill for an act to provide for the licensing of persons to hunt, pursue, kill and take wild animals, birds and game in the State, and the payment of such license fees into the State Treasury for the use of the Fish and Game Warden, and the punishment of unauthorized persons for hunting, pursuing, killing and taking of any wild animals, birds or game within this State, and amending Section Twenty-five Hundred and Sixty-two (2562) of the Code, relating to the Deputy Fish and Game Wardens.

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 the following bill, in which the concurrence of the House was asked:

House File No. 105, a bill for an act to prohibit combination among grain elevator men and to prohibit any person, company or partnership, association or corporation engaged in the business of grain dealing or owning or operating grain elevators from combining or entering into any agreement, contract or trust to pool or fix the prices of competition in the buying of grain or the selling of grain, and to provide punishment for the same.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in and passed Senate substitute to the following bill, in which the concurrence of the House was asked:

House File No. 27, a bill for an act to amend Chapter Thirty-seven (37) of the laws of the Thirty-first General Assembly, relating to the special election of township officers in newly created townships.

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 the following bill, in which the concurrence of the House was asked:

House File No. 48, a bill for an act to provide a method whereby assessment life associations may be re-incorporated as legal reserve life insurance companies.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Wade, Senate File No. 239, a bill for an act amending Section Thirteen Hundred and Thirty-three (1333) of the Code Supplement, in relation to taxes paid by insurance companies other than those organized under the laws of the State of Iowa, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Wade moved that the substitute be substituted for the original bill.

Adopted.

The bill was read for information.

Senator Wade moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

None.

Absent or not voting:

Senators Crossley, Dowell, Jamieson of Page, Jones, Kimmel, Kinne, McKlveen, Stuckslager, Turner, Whiting—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 Maytag, Senate File No. 183, a bill for an act providing for placing a statue in bronze of James Harlan, ex-Senator of Iowa, in the National Statuary Hall in the Capitol building of Washington, D. C., and appropriating money to pay therefor, 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, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dunham, Eckles, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Clinton, Young—43.

The nays were :

None.

Absent or not voting :

Senators Crossley, Dowell, Elerick, Kimmel, Kinne, McKlveen, Wilson of Fayette—7.

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

Senator Seeley spoke as follows :

Statuary Hall, at the National Capitol, was originally the House of Representatives, and occupied as such prior to 1857. In this historic hall, Madison and Monroe were inaugurated Presidents. Here John Quincy Adams was elected President and here he died at his post of duty.

This historic hall was wisely set apart for a National Hall of Statuary in 1864 and each State invited to contribute to its adornment, statues of two of their most distinguished citizens.

Connecticut was the first to avail herself of this privilege. Others followed in rapid succession, until now many of the States from New York to Oregon have filled the niches there provided for them.

You who were members of the Thirty-first General Assembly very wisely made provision for our noted war Governor, Samuel J. Kirkwood's statue to be placed in this historic hall by appropriating \$5,000 for this purpose.

The history of James Harlan, who was born August 25, 1820, is well known to all of you.

For nearly eighteen years did he faithfully serve this State in the United States Senate, during which time he was frequently counseled by President Lincoln and finally called to his cabinet about a month before his assassination, which position he filled with great credit to his State.

Prior to his service in Congress, he was closely identified with educational development in this new country, having served the State as Superintendent of Public Instruction and, at one time, principal of the Iowa City College, which has now grown to our great State University.

To any one coming to his home city of Mount Pleasant, on one of the main trunk lines, the first sound that greets your ear, is the familiar call, "Harlan Hotel," built by him and where he spent many pleasant hours with his friends around him. As we stroll to another part of the city, we come to the quiet "Harlan home," where his only daughter, Mrs. Robert Lincoln, spends a part of each summer.

Visit our University, of which James Harlan was its first President, and over one of the halls we find the words, "Harlan Literary Society."

Go with me to "Camp Harlan," adjoining the city, where Senator Harlan organized the Fourth Iowa Cavalry and the Twenty-fifth Iowa

Infantry and where they were encamped for several months until the call came for them to march to the field of battle. This place still bears his name. Here the old soldiers love to visit and drink from the same spring as they did in the early '60's with James Harlan.

To know him was to love him. His home life is well illustrated by a few words from the pen of ex-Congressman Sam Clark, when he says:

"Him we loved because he first loved us. Our friend. The friend of humanity. Like Moses of old—a born leader. Great, gray and grand. Great, because of the success of his achievements; Gray, because the years have come and gone and left thin tracing in white on face and brow. Grand, because of his character. The friend of God, whom the Lord knew face to face."

James Harlan died at Mount Pleasant, Iowa, October 6, 1899, but he still lives in our memory.

When this bill was under consideration in the Appropriations Committee of the House a few days ago, a very touching incident transpired, when a gentleman from Harlan (a city named for Senator Harlan), rose to second the motion to report the bill out for passage, which with many moistened eyes, was made unanimous by a rising vote.

Senators, I trust when the roll is called on this bill there will not be a dissenting vote, but that every member of this Chamber will help to honor another of their most distinguished citizens, by making the statue of James Harlan a companion to that of Samuel J. Kirkwood.

Senator Hughes also addressed the Senate with feeling words, favoring the bill.

Senator Gilliland moved that the remarks made by Senator Seeley be printed in the Journal.

Carried.

By unanimous consent, on motion of Senator Hughes, House File No. 228, a bill for an act to amend the law as it appears in Section 4999-B of the Supplement to the Code, relating to the safeguarding of machinery, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stookey moved the adoption of the following amendment:

I move to amend by inserting after the word "remove" in line four of the printed bill the words "except temporarily."

By consent the amendment was withdrawn.

Senator Gilliland moved the adoption of the following amendment:

I move to amend by inserting the words "or maliciously" after the word "willfully" in line five of the bill.

Senator Young was called to the chair at 10:20 o'clock.

President Garst resumed the chair at 10:25 o'clock.

Senator Peterson offered the following as a substitute for the amendment of Senator Gilliland:

I move to substitute for the amendment of the Senator from Mills as follows:

Amend Section One (1) by adding after the word "same" in the fifth line of the printed bill the following words: "and use or permit the same to be used without such safeguarding device."

By consent the amendment of Senator Gilliland was withdrawn.

Further consideration of the bill was postponed.

Senator Saunders moved that when the Senate adjourn this forenoon it be to reconvene at 1:15 o'clock P.M. and that the Senate adjourn this afternoon at 2:15 o'clock, in honor of the late Major R. C. Hubbard, long an honored and faithful employe of the State, and to give those desiring an opportunity of attending the funeral services.

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. 380, a bill for an act to legalize the incorporation of the town of Garwin, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such.

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 legalize the adoption of all ordinances, resolutions and rules enacted by the council of the town of Stockport, Van Buren county, Iowa, 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. 420, a bill for an act to legalize the incorporation of the town of Humboldt (formerly Springvale), Humboldt county, Iowa, the election of its officers, the passage, adoption and recording of its ordinances and resolutions and all acts done by the council of said town.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

The time having arrived, Senate File No. 280, 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, and the election of party committeemen by a primary election, and for the holding of conventions by such political parties or organizations, and repealing Chapter Forty (40), laws of the Thirtieth General Assembly, and Chapters Forty-five (45) and Forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections, was taken up and considered.

Senator Gilliland offered the following as a substitute for the pending amendment of Senator Dunham:

I move as a substitute for the amendment proposed by the Senator from Delaware, that Section Twenty-two (22) be amended by inserting after the word "be," first appearing in the eleventh line of the printed bill, the words "provided he received not less than thirty-five percentum of all the votes cast by the party for such office."

Senator DeArmand offered a substitute for the bill and pending amendments.

The President ruled that the substitute was not in order at this time but would be recognized after the pending amendments have been disposed of.

Further consideration of the bill was postponed.

Senator Newberry moved that the time for adjournment be extended for the correction of the Journal and until the amendment under consideration be disposed of.

Senator Whipple moved to amend by striking out the words, "and until the amendment under consideration be disposed of."

The amendment prevailed.

The motion as amended prevailed.

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

Senator Smith of Mitchell moved that the Senate do now adjourn.

Carried.

Senate adjourned until 1:15 o'clock P.M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:15 o'clock P.M., President Garst presiding.

HOUSE MESSAGES CONSIDERED.

House File No. 243, a bill for an act to provide for the licensing of persons to hunt, pursue, kill and take wild animals, birds and game in the State, and the payment of such license fees into the State treasury for the use of the fish and game warden, and the punishment of unauthorized persons for hunting, pursuing, killing and taking of any wild animals, birds or game within this State, and amending Section Two Thousand Five Hundred and 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.

Senate File No. 300, a bill for an act to amend Section Four Hundred and Forty-eight (448) of the Code, relating to borrowing money for the erection of public buildings in counties having population of forty thousand or over.

Passed on file.

House has indefinitely postponed Senate File No. 28, a bill for an act to amend the law as it appears in Section Four Hundred and Sixty-nine (469), Title Four (4), Chapter One (1) of the Code, relating to the compensation of supervisors.

Passed on file.

House concurrent resolution relative to the appointment of a joint committee to prepare and report appropriate resolutions respecting the life, character and public services of ex-Lieutenant Governor Frank T. Campbell, and Speaker of House appoints as

committee on part of House: Sullivan of Polk, Meredith of Cass and Sidey of Adair.

Passed on file.

House concurred in Senate amendments to House File No. 105, a bill for an act to prohibit combination among grain elevator men and to prohibit any person, company or partnership, association or corporation engaged in the business of grain dealing or owning or operating grain elevators from combining or entering into any agreement, contract or trust to pool or fix the prices of competition in the buying of grain or the selling of grain, and to provide punishment for the same.

Passed on file.

House concurred in Senate substitute to House File No. 27, a bill for an act to amend Chapter Thirty-seven (37) of the laws of the Thirty-first General Assembly, relating to the special election of township officers in newly created townships.

Passed on file.

House concurred in Senate amendments to House File No. 48, a bill for an act to provide a method whereby assessment life associations may be reincorporated as legal reserve life insurance companies.

Passed on file.

House File No. 380, a bill for an act to legalize the incorporation of the town of Garwin, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such.

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

House File No. 401, a bill for an act to legalize the adoption of all ordinances, resolutions and rules enacted by the council of the town of Stockport, Van Buren county, Iowa, and all acts done by the council of said town.

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

House File No. 420, a bill for an act to legalize the incorporation of the town of Humboldt (formerly Springvale), Humboldt county, Iowa, the election of its officers, the passage, adoption and

recording 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. 1, a bill for an act to amend the law as it appears in Section Four Hundred and Twenty-two (422) of the Code, and Section One Thousand Six Hundred and Sixty (1660) of the Code, relating to the purchase of land for county fair societies.

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

House File No. 14, a bill for an act to prohibit the corrupt influencing of agents, representatives, employes, officers of a private corporation, or public officers acting in behalf of a principal in any business transaction, and provide a penalty therefor.

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

House amended and passed Senate substitute for House File No. 104, a bill for an act to provide for the preparation of new jury lists where, for any cause, a lawfully constituted grand jury or petit jury cannot be obtained, or lawfully qualified talesmen cannot be selected under the law from those persons who are returned by the election officers to serve as jurors.

Passed on file.

House File No. 273, 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 Committee on Insurance.

INTRODUCTION OF BILLS.

By Senator Jackson, Senate File No. 324, a bill for an act to legalize the action of the members of the Florence Crittenton Home of Sioux City in amending its articles of incorporation and to legalize said amended articles.

WHEREAS, At the regular annual meeting of the members of the Florence Crittenton Home of Sioux City, held at its office in Sioux City, Iowa, on the 8th day of January, 1907, said members

did amend the articles of incorporation of said corporation by the unanimous vote of all the members present; and

WHEREAS, No record was kept of the members present at said annual meeting, and the exact membership of said home is unknown; and

WHEREAS, Some doubt has arisen as to the legality of the amending of said articles of incorporation.

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

By Senator Bleakly, Senate File No. 325, a bill for an act to amend Section Five Hundred and Forty-three of the Code, relating to the fees of county supervisors.

Read first and second time and placed on Calender.

By Senator Whipple, Senate File No. 326, a bill for an act to legalize certain ordinances and amendments to the ordinances passed by the city council of Tama, Tama county, Iowa, and to legalize all of the official acts of the city officials of Tama, Tama county, Iowa, acting as such under said ordinances and amendments.

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. 323, a bill for an act to amend Section Fifteen Hundred and Sixty-six-a (1566-a), Supplement to the Code, relating to publication of reports.

C. R. BENELECT,
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 Section Seventeen Hundred and Eighty-nine (1789) of the Code, relating to the assignment of life insurance policies.

C. R. BENELECT,
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 regulate the soliciting and using of proxies by insurance 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. 238, a bill for an act to legalize county certificates issued by County Superintendents prior to October 1, 1906, and to declare the rights of the holders 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. 69, a bill for an act to amend Section Thirty-five Hundred and Twenty-nine (3529) of the Supplement to the Code, relating to the service of original notice upon any corporation or person owning or operating any railway, or canal, steamboat or other river craft, or any telegraph, telephone, stage, coach or car line, express company or foreign corporation.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 280, 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, and repealing Chapter Forty (40), laws of the Thirtieth General Assembly and Chapters Forty-five (45) and Forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections.

Senator Hopkins moved the previous question on the substitute and the amendment.

Carried.

On the adoption of the substitute amendment of Senator Gilliland, a roll call was demanded.

On the question, "Shall the substitute be adopted?"

The yeas were:

Senators Allen, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Ericson, Frudden, Gilliland, Hopkins, Hughes, Jackson, Kimmel, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—32.

The nays were:

Senators Bleakly, Bruce, Elerick, Foley, Gale, Jamieson of Page, Jamison of Clarke, Jones, Lambert, Nichols, Smith of Des Moines, Stookey, Taylor, Wade, Whiting—15.

Absent or not voting:

Senators Crossley, DeWolf, Kinne—3.

So the substitute was adopted.

EXPLANATION OF VOTE.

MR. PRESIDENT—I vote "no" on the substitute because I favor the original motion, requiring a majority vote to nominate.

THOS. LAMBERT.

On request of Senator Crossley, who was absent on account of quarantine, Senator Dunham moved that the Journal show that had Senator Crossley been present he would have voted yea on the substitute offered by Senator Gilliland, and also would have voted yea on the amendment as amended.

Carried.

On the adoption of the amendment as substituted a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Kimmel, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Warren,

Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—39.

The nays were :

Senators Gale, Jamieson of Page, Jamison of Clarke, Jones, Smith of Des Moines, Taylor, Wade—7.

Absent or not voting :

Senators Crossley, DeWolf, Kinne Nichols—4.

So the amendment was adopted.

EXPLANATION OF VOTE.

MR. PRESIDENT—I vote "yea" on the motion as amended because I believe a thirty-five per cent vote preferable to a plurality nomination.

THOS. LAMBERT.

Senator DeArmand offered a substitute for the original bill, of which the following is a synopsis :

1. The elimination of the declaration of party affiliation.
2. The exception of judges of the courts, from the provisions of the bill.
3. Extending the benefits of the primary to cities of the first class.
4. Allowing party workers in the employ of party organizations to be exempt from the restrictions making all interest in elections gratuitous or criminal.

Senator DeArmand moved that the substitute be substituted for the original bill.

The motion was lost.

Senator Peterson moved that the bill now be read by sections for the purpose of amendment.

Carried.

Senator Peterson offered the following amendment to Section One (1), and moved its adoption.

I move to amend Section One (1) by inserting after the word "offices," in the second line, the words "except judges of the supreme, district and superior courts."

Adopted.

Senator Jones moved the adoption of the following amendment to Section One (1) :

Move to amend Section One (1) by inserting after the figure "1" in line one the following:

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 (500) 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 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.

On the adoption of the amendment a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Bleakly, DeWolf, Elerick, Gale, Gilliland, Jamison of Clarke, Jones, Nichols, Smith of Des Moines, Stookey, Stuckslager, Whiting, Wilson, of Clinton—13.

The nays were:

Senators Allen, Burgess, Clark, Dowell, Dunham, Eckles, Ericson, Foley, Frudden, Hopkins, Hughes, Jackson, Kimmel, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Young—31.

Absent or not voting:

Senators Bruce, Crossley, DeArmand, Jamieson of Page, Kinne, Wade—6.

So the amendment was lost.

Senator Maytag asked unanimous consent that Senate File No. 80 be withdrawn and re-referred to Committee on Appropriations.

Consent granted.

The time having arrived, the President declared the Senate adjourned until 9 o'clock A. M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, MARCH 19, A. D. 1907.

Senate met in regular session at 9 o'clock A.M., President Garst presiding.

Prayer was offered by the Rev. J. C. Kendrick of Oxford, Iowa.

PETITIONS AND MEMORIALS.

Senator Warren presented several petitions of constituents urging the adoption of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator Mattes presented petition of citizens urging the passage of Senate File No. 254 and House File No. 338, relative to the erection of a sanatorium for the treatment of incipient tuberculosis.

Referred to Committee on Appropriations.

Senator McKlveen presented petition of forty-three electors of Lucas county favoring the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senate Kinne presented petition of citizens of Spencer, Iowa favoring an appropriation for the erection of a sanatorium for the treatment of incipient tuberculosis.

Referred to Committee on Appropriations.

Senator Frudden presented petition of constituents favoring an appropriation for the erection and equipment of a sanatorium for the treatment of tuberculosis.

Referred to Committee on Public Health.

Senator Wilson of Fayette presented petition of citizens of Fayette favoring the passage of the measure known as the State Marshal Bill.

Referred to Committee on Suppression of Intemperance.

Senator DeArmand presented petition signed by fifteen hundred electors of Davenport asking that police and fire departments in cities of the first class be placed under civil service rules.

Referred to Committee on Cities and Towns.

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

Resolved, That hereafter, unless otherwise ordered, all forenoon sessions of the Senate convene at 9 o'clock and afternoon sessions at 2 o'clock.

Senator Saunders moved to amend by making the time 1:30 o'clock instead of 2 o'clock in the afternoon.

The amendment prevailed.

The resolution, as amended, was adopted.

HOUSE MESSAGES CONSIDERED.

House File No. 360, a bill for an act to regulate the soliciting and using of proxies by insurance companies.

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

House File No. 238, a bill for an act to legalize county certificates issued by County Superintendents prior to October 1, 1906, and to declare the rights of the holders thereof.

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

Senate File No. 69, a bill for an act to amend Section Thirty-five Hundred and Twenty-nine (3529) of the Supplement to the Code, relating to the service of original notice upon any corporation or person owning or operating any railway, or canal, steamboat or other river craft, or any telegraph, telephone, stage, coach or car line, express company or foreign corporation.

Passed on file.

House File No. 323, a bill for an act to amend Section Fifteen Hundred and Sixty-six-A (1566-A), Supplement to the Code, relating to publication of reports.

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

House File No. 286, a bill for an act to amend Section Seventeen Hundred and Eighty-nine (1789) of the Code, relating to the assignment of life insurance policies.

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

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. 252, a bill for an act to pay the expenses of J. W. Cliff in his contest for the office of Secretary of the Senate of the Twenty-fourth General Assembly, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Appropriation Committee, and further recommend that the bill do pass.

CHAS. ECKLES,
Chairman.

Adopted.

So the bill was referred to Committee on Appropriations.

Senator Bleakly, 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. 198, a bill for an act to amend Section One 1), Chapter Twenty-one (21), of the acts of the Thirtieth General Assembly of the State of Iowa, relating to the compensation of County Recorders, and to amend Section Four Hundred and Ninety-six (496) of the Code relating to the compensation of Deputy County Recorders, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

1. Strike out in line five of the original bill the words and

figures, "Sixteen Hundred Dollars (\$1,600.00)," and insert in lieu thereof the words and figures, "Fifteen Hundred Dollars (\$1,500.00)."

2. Strike out in line six the words and figures, "Eighteen Hundred Dollars (\$1,800.00), and insert in lieu thereof the words and figures, "Sixteen Hundred Dollars (\$1,600.00)."

3. Strike out in lines seven and eight the words and figures, "Two Thousand Dollars (\$2,000.00)," and insert in lieu thereof the words and figures, "Eighteen Hundred Dollars (\$1,800.00)."

4. Strike out in line nine the words and figures "Twenty-two Hundred Dollars (\$2,200.00)," and insert in lieu thereof the words and figures, "Two Thousand Dollars (\$2,000.00)."

5. Strike out all of Section Two (2).

6. Amend Section Three (3) by striking out the figure "3" after the word "section" in the first line, and insert the figure "2" in lieu thereof.

7. Amend the title by removing the semicolon after the word "Recorders" in the third line of original bill and insert a period in lieu thereof and strike out all after the said word "Recorders."

And when so amended the bill do pass.

JOHN L. BLEAKLY,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 143, a bill for an act to indemnify Charles H. Tribby for damages caused by sewage from the State Hospital for Insane at Mt. Pleasant, Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the words and figures in the third and fourth lines of Section 1, "One Thousand Five Hundred and Twelve Dollars and Eighty Cents (\$1,512.80)," and insert in lieu thereof the words and figures "One Thousand Fifty (\$1,050.00) Dollars," and when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 92, a bill for an act to amend the law as it appears in Section Sixteen Hundred and Sixty-one-a (1661-a) of the Supplement to the Code, relative to State aid to district or county agri-

cultural societies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 282, a bill for an act to provide for an exhibit of the arts, industries and resources of the State of Iowa at the Alaska-Yukon-Pacific exposition to be held in the city of Seattle, in the State of Washington, and making appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 250, a bill for an act providing for the inspection of steam boilers; for safety appliances to be used on such boilers; for the appointment and compensation of boiler inspectors, the enforcement of the provisions of this act, and fixing penalties for the violation hereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 264, a bill for an act creating a legislative reference department of the State Library, providing for assistants therein and making an appropriation therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

INTRODUCTION OF BILLS.

By Senator Allen, Senate File No. 327, a bill for an act to amend the law as it appears in Chapter One Hundred and Fifteen (115), Section Three (3), of the acts of the Thirty-first General Assembly, relating to examination and registration of pharmacists.

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

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. 183, a bill for an act providing for placing a statue in bronze of James Harlan, ex-Senator of Iowa, in the National Statuary Hall in the Capitol building of 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 House was asked:

Senate File No. 192, a bill for an act to amend Section 768 of the Code, relating to vestibules on street cars for the protection of employes operating such cars.

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. 179, a bill for an act to amend the law as it appears in Section 441 of the Supplement to the Code, as amended by Chapter 18 of the acts of the Thirtieth General Assembly, by adding thereto and further providing who shall be considered a "bona fide yearly subscriber" in the event of a contest.

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. 290, a bill for an act to amend sub-division 16 of Section 668 of the Code in relation to the duties of city council and amending said sub-section 16 and making the same apply to cities of the second class.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 280, 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, and repealing Chapter Forty (40), laws of the Thirtieth General Assembly, and Chapters Forty-five (45) and Forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections.

Senator Peterson moved the adoption of the following amendment to Section Four (4):

I move to amend Section Four (4) by inserting after the word "ensuing" in the fifth line of the printed bill the words: "except Judges of the Supreme, District and Superior Courts."

Adopted.

Senator DeWolf moved the adoption of the following amendment to Section Six (6):

Amend Section Six (6) of the bill by striking out in line seven of the printed bill the words "and that shall be the party with which he is registered as affiliated."

On the adoption of the amendment, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators DeArmand, DeWolf, Foley, Jamieson of Page, Lambert, McManus, Moon, Smith of Des Moines, Stirton, Taylor, Wade, Whiting, Wilson of Clinton—13.

The nays were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, McKlveen, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette—34.

Absent or not voting:

Senators Crossley, Frudden, Young—3.

So the amendment was lost.

Senator Jones moved the adoption of the following amendment:

Move to amend Section Seven (7) by striking therefrom that portion beginning with and including the word "ballot" in fourth line, to and including the word "ballot" in the fifth line and insert in lieu thereof the following: "with which he last affiliated and be given the ballot of such party, unless he makes oath or affirmation of a change of his party affiliation as provided in Section Nine (9) hereof, whereupon he may be given the ballot of the party of his present party preference as indicated by his affidavit."

On the adoption of the amendment, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Bleakly, Elerick, Gale, Jackson, Jamison of Clarke, Jones, McKlveen, Nichols—8.

The nays were:

Senators Allen, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Ericson, Foley, Gilliland, Hopkins, Hughes, Jamieson of Page, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Taylor, Turner, Wade, Warren, Whipple,, Whiting, Wilson of Fayette, Wilson of Clinton, Young—37.

Absent or not voting:

Senators Crossley, Frudden, Smith of Des Moines, Stookey, Stuckslager—5.

So the amendment was lost.

Senator Jones moved the adoption of the following amendment:

Move to amend line five of Section Eight (8) by striking out the word "ten" and insert in lieu thereof the word "ninety."

The amendment was lost.

Senator Peterson moved the adoption of the following amendment:

I move to amend Section Ten (10) by striking from lines five and six of the printed bill the words "or Judge of the District Court" and also from line sixty-seven of the same section the words "or Judge of the District Court;" and also insert the word "or" after the word "States" in the fifth line of the printed bill.

Adopted.

Senator Saunders moved the adoption of the following amendment:

Amend Section Seven (7) by adding thereto the following: "It shall be the duty of the judges and clerks of the primary election in each precinct in the year 1910 and biennially thereafter, to return to the County Auditor a list of the names of all electors who have removed from said precinct or died prior to such primary election, and the County Auditor shall thereupon strike from the list of party affiliators of said precinct the names so returned."

By consent, the amendment was withdrawn.

Senator Peterson moved the adoption of the following amendment:

I move to amend Section Fourteen (14) by striking therefrom all of lines nineteen to twenty-three, inclusive, of the printed bill.

Adopted.

Senator Dowell was called to the chair at 10:55 o'clock.

Senator Peterson moved the adoption of the following amendment:

I move to amend Section Nineteen (19) by inserting the word "county" after the word "each" appearing in the ninth line of the printed bill, also by inserting after the word "votes" in the ninth line of said section a comma and the words "provided he received not less than thirty-five per centum of all the votes cast by the party for such office, and the candidate of each political party for an office of any subdivision of a county receiving the highest number of votes."

Adopted.

Senator Peterson moved the adoption of the following amendment:

I move to amend Section Nineteen (19) by striking out the period at the end of the section and inserting in lieu thereof a semicolon and by inserting after said semicolon the words: "And shall also prepare, certify and deliver to such chairman a list of the offices for which no candidate of his party was nominated, together with the names of the several candidates for each of such offices voted for at the primary election and the number of votes received by each of such candidates."

Adopted.

Senator Peterson moved the adoption of the following amendment:

I move to amend Section Twenty (20) by striking out the period following the word "offices" at the end of line six and insert a comma in lieu thereof and the following words "except Judges of the Supreme, District and Superior Courts."

Also by striking out all of line nine of said Section Twenty (20) as shown by the printed bill.

Adopted.

Senator Moon offered the following amendment, which was laid over:

SEC. 35. The provisions of this act shall, so far as applicable, govern the nomination of candidates by political parties for all offices to be filled by a direct vote of the people in cities of the first class.

The duties devolving upon the County Auditor, by the foregoing provisions of this act, shall, in municipal elections, devolve upon the city auditor and the duties devolving upon the Board of Supervisors by the foregoing provisions of this act, devolve upon the city council which shall meet to perform said duties within two days next following the primary election. The date of the municipal primary election shall be the last Monday in February of each year in which a municipal election is held in said cities, after the year 1907, and the percentage of voters signing petitions required for printing the name of a candidate upon the official primary ballot shall be the same as is required of a candidate for a county office and shall be based upon the vote cast for mayor by the respective parties in the preceding city election.

The names of candidates for ward aldermen, for city precinct committeemen and for delegates to the city convention, shall not be printed upon the official primary ballot but in each case a blank line or lines shall be provided therefor. A plurality shall nominate the party candidates for aldermen and a plurality shall elect the precinct committeemen and delegates to the city convention.

Senator Peterson moved the adoption of the following amendment:

I move to amend Section Twenty-two (22) by inserting after the word "office" in the seventh line of the printed bill the words "designated in Section Twenty (20) hereof."

Adopted.

Senator Peterson moved the adoption of the following amendment:

I move to amend Section Twenty-two (22) by inserting after the word "office" in the tenth line the words "to be filled by vote of the people."

Adopted.

Senator Peterson moved the adoption of the following amendment:

I move to amend Section Twenty-two (22) by striking out the period at the end of the section and inserting in lieu thereof a semicolon and by inserting after said semicolon the words: "and shall also pre-

pare, certify and deliver to such chairman a list of the offices for which no candidate of his party was nominated, together with the names of the several candidates for each of such offices voted for at the primary election and the number of votes received by each of such candidates."

Adopted.

Senator Peterson moved the adoption of the following amendment:

I move to amend Section Twenty-five (25) by inserting after the word "convention" in the thirty-second line of the printed bill the words "shall make nominations of candidates for the party for any county office where no candidate for such office has been nominated at the preceding primary election as shown by the canvass of the votes provided for in Section Nineteen (19) hereof and."

Adopted.

Senator Peterson moved the adoption of the following amendment:

I move to amend Section Twenty-five (25) by inserting after the word "act" in line thirty-seven of the printed bill the words "except judicial conventions."

Adopted.

Senator Saunders moved the adoption of the following amendment:

Amend Section Twenty-five (25) as follows: Strike out the period after the word "qualified" in line eighteen of said section and insert the words "unless such committeeman shall be removed by the County Central Committee for inattention to the duties of his position, incompetency or failure to support the ticket nominated by the party which elected him to such position."

Adopted.

Senator Jackson moved the adoption of the following amendment:

Amend Section Twenty-five (25) by striking out the word "Saturday" in the fourth line and inserting in lieu thereof the word "Thursday."

Laid over for the present.

Senator Peterson moved the adoption of the following amendment:

I move to amend Section Twenty-six (26) by striking all between the words "Senatorial" appearing in the seventh line thereof and inserting in lieu thereof the words "or Congressional convention may be held, and a Judicial convention shall be held by each political party participating in the primary election of that year. Not less than ten days and not more than sixty days before the day fixed for holding the county convention a call for such Senatorial, Judicial and Congressional convention to be held shall be."

Adopted.

Senator Peterson moved the adoption of the following amendment:

I move to amend Section Twenty-six (26) by inserting after the period following the word "convention" in the seventeenth line the words "The convention when organized shall make nominations of candidates for the party for any such district office where no candidate for such office has been nominated at the preceding primary election as shown by the canvass of the votes provided for in Section Twenty-two (22) hereof."

Adopted.

Senator Peterson moved the adoption of the following amendment:

I move to amend Section Twenty-seven (27) by striking out the period after the word "represents" in the tenth line of the printed bill and by inserting a comma in lieu thereof and the words "and shall make nominations of candidates for the party for any State office when no candidates for such office has been nominated at the preceding primary election as shown by the canvass of the votes as provided for in Section Twenty-two (22) hereof."

Adopted.

Senator Peterson moved that further consideration of the bill be deferred until the afternoon session.

Carried.

Senator Gale moved that Joint Resolution No. 3 be made a special order for Friday at 10 o'clock A.M.

Carried.

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

Senator Newberry moved that Senate File No. 47, be re-referred to Committee on Compensation of Public Officers for a hearing, and that they report within three days.

Carried.

Senator Warren moved that the Senate adjourn until 1:30 o'clock P.M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock, President Garst presiding.

REPORTS 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. 326, a bill for an act to legalize certain ordinances and amendments to the ordinances passed by the city council of Tama, Tama county, Iowa, and to legalize all the official acts of the city officials of Tama, Tama county, Iowa, acting as such under said ordinances and amendments, beg leave to report that they 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 House File No. 420, a bill for an act to legalize the incorporation of the town of Humboldt (formerly Springvale), Humboldt county, Iowa, the election of its officers, the passage, adoption and recording 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 House File No. 380, a bill for an act to legalize the incorporation of the town of Garwin, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such, beg leave to report that they have 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 said bill by striking out the word "be" appearing between the words "town" and "of" in the fifth line thereof.

And when so amended the bill 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 House File No. 401, a bill for an act for the adoption of all ordinances, resolutions and rules enacted by the council of the town of Stockport, Van Buren county, Iowa, 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. 310, a bill for an act to give owners or keepers of stallions, jacks and bulls a lien for the service of such animal upon the offspring, beg leave to report that they have 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.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 315, a bill for an act to repeal Section Fourteen Hundred and Sixty (1460) of the Code, relating to the statement by the Auditor of State of the County Treasurer's account with the Treasurer 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 Dowell, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 323, a bill for an act to legalize the acts and resolutions passed by the board of supervisors of Lee county, Iowa, allowing a certain person 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 be indefinitely postponed.

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. 320, a bill for an act to amend Section Twenty-two Hundred and Sixty-one (2261) of the Code, and all subsequent laws, relating to the County Commissioners of Insanity, beg leave to report that they have 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.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 321, a bill for an act to enable incorporated towns located in more than one township the power to establish a voting precinct for such incorporated 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 indefinitely postponed.

C. C. DOWELL,
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 Senate File No. 244, a bill for an act authorizing persons, firms or corporations engaged in the business of storing goods for profit, to issue warehouse receipts on the goods stored, to regulate the issuance, negotiation and transfer of such receipts, and to provide punishment for violation of said regulations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

HOUSE MESSAGES CONSIDERED.

Senate File No. 183, a bill providing for placing a statue in bronze of James Harlan, ex-Senator of Iowa, in the National Statuary Hall in the Capitol building of Washington, D. C., and appropriating money to pay therefor.

Passed on file.

Senate File No. 192, a bill for an act to amend Section Seven Hundred and Sixty-eight (768) of the Code, relating to vestibules on street cars, for the protection of employes operating such cars.

Passed on file.

House has indefinitely postponed Senate File No. 179, a bill for an act to amend the law as it appears in Section Four Hundred and Forty-one (441) of the Supplement to the Code, as amended by Chapter Eighteen (18) of the acts of the Thirtieth General Assembly, adding thereto and further providing who shall be considered a "bona fide yearly subscriber" in the event of a contest.

Passed on file.

House has amended and passed Senate File No. 290, a bill for an act to amend subdivision Sixteen (16) of Section Six Hundred and Sixty-eight (668) of the Code, in relation to the duties of city council, and amending said subsection Sixteen (16), and making the same apply to cities of the second class.

Passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 27, a bill for an act to amend the law as it appears in Chapter Thirty-seven (37) of the acts of the Thirty-first General Assembly, relating to the special election of township officers in newly created townships.

Also:

House File No. 48, a bill for an act to provide a method whereby assessment life associations may be reincorporated as legal reserve life insurance companies.

Also:

House File No. 105, a bill for an act to prohibit any person, company, partnership, association, or corporation, engaged in the business of grain dealing, or owning or operating grain elevators, from combining or entering into any agreement, contract, trust, or pool to fix the prices to be paid for grain, or to prevent the free action of competition in the buying of grain, or the selling of grain, and to provide punishment for the violation of this act.

Also:

House File No. 150, a bill for an act to amend Section Four Hundred Thirty-two (432) of the Code, pertaining to meetings of the Soldiers' Relief Commission.

Also:

House File No. 312, a bill for an act authorizing the Executive Council to build walks and steps and make necessary repairs around the Capitol building and grounds and making an appropriation therefor.

Also:

House File No. 363, a bill for an act to amend Section Thirty-one Hundred and Eighty-one (3181) of the Code, relating to divorces and marriages of divorced persons.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

Senate resumed consideration of Senate File No. 280, 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, and repealing Chapter Forty (40), laws of the Thirtieth General Assembly, and Chapters Forty-five (45) and Forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections.

Senator Stookey moved the adoption of the following amendment:

I move to amend Section Five (5) by striking out of lines six and seven of the printed bill, the following words: "one-half by the county in which the said primary election is held, and one-half".

On the adoption of the amendment, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators DeArmand, DeWolf, Jamieson of Page, Jamison of Clarke, Jones, Nichols, Stookey, Wade, Whiting, Wilson of Clinton—10.

The nays were:

Senators Allen, Burgess, Dowell, Dunham, Eckles, Ericson, Gale, Hopkins, Hughes, Jackson, Kimmel, Mattes, Maytag, Moon, Newberry, Peterson, Seeley, Smith of Mitchell, Stirton, Turner, Wilson of Fayette—21.

Absent or not voting:

Senators Bleakly, Bruce, Clark, Crossley, Elerick, Foley, Frudden, Gilliland, Kinne, Lambert, McKlveen, McManus, Saunders, Smith of Des Moines, Stuckslager, Taylor, Warren, Whipple, Young—19.

So the amendment was lost.

Senator Jackson offered the following as a substitute for the amendment offered by him to Section Twenty-five (25) :

Amend Section Twenty-five (25) by striking out the words "second Saturday" in the fourth line, and inserting in lieu thereof the words "third Wednesday".

On the adoption of the substitute, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Bleakly, Burgess, Jackson, Jamison of Clarke, Kimmel, Saunders, Stookey—7.

The nays were:

Senators Allen, Clark, Dowell, Dunham, Ericson, Hopkins, Hughes, Jamieson of Page, Jones, Kinne, McKlveen, Mattes, Maytag, Moon, Nichols, Peterson, Seeley, Smith of Mitchell, Stirton, Taylor, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—26.

Absent or not voting:

Senators Bruce, Crossley, DeArmand, DeWolf, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Lambert, McManus, Newberry, Smith of Des Moines, Stuckslager, Turner, Wade—17.

So the amendment was lost.

On the adoption of the amendment offered by Senator Moon, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Allen, Bleakly, Burgess, DeArmand, DeWolf, Dowell, Elerick, Foley, Frudden, Gale, Gilliland, Hughes, Jamieson of

Page, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Moon, Nichols, Seeley, Smith of Des Moines, Stirton, Taylor, Wade, Warren, Whiting, Wilson of Clinton, Young—31.

The nays were:

Senators Clark, Dunham, Ericson, Hopkins, Saunders, Turner, Wilson of Fayette—7.

Absent or not voting:

Senators Bruce, Crossley, Eckles, Jackson, Jones, Maytag, Newberry, Peterson, Smith of Mitchell, Stookey, Stuckslager, Whipple—12.

So the amendment was adopted.

Senator Frudden moved the adoption of the following amendment:

Add as Section Thirty-six (36) the following:

Move to amend Section Ten (10) by striking out all of said section from and after the period after the word "candidate" in line 40 and down to and including all of line fifty-nine and insert the following: "Each and every candidate shall file in the same office where his petition for nomination is to be filed, his written statement that he is eligible to the office for which he is nominated and will qualify if elected."

On the adoption of the amendment, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators DeWolf, Foley, Frudden, Jamieson of Page, Lambert, McManus, Moon, Smith of Des Moines, Taylor, Wade, Whiting, Wilson of Clinton—12.

The nays were:

Senators Allen, Bleakly, Bruce, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gilliland, Hughes, Jackson, Jones, Kimmel, Kinne, McKlveen, Mattes, Nichols, Peterson, Saunders, Smith of Mitchell, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Young—30.

Absent or not voting:

Senators Burgess, Crossley, Hopkins, Jamison of Clarke, Maytag, Newberry, Seeley, Stirton—8.

So the amendment was lost.

Senator Gale moved the adoption of the following amendments:

SEC. 36. At the general election of 1908 and at each succeeding general election up to and including that of the year 1912 as a guide to the legislatures to sit respectively thereafter, there shall be submitted to the voters as a part of the official ballot the following question:

Do you favor a State-wide primary?

Yes.

No.

Senator Bruce moved to amend the amendment by striking out the figures 1908 and 1912.

The amendment to the amendment was lost.

On the adoption of the amendment, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Bruce, DeArmand, DeWolf, Foley, Frudden, Gale, Jamieson of Page, Jamison of Clarke, Jones, Lambert, McManus, Moon, Nichols, Smith of Des Moines, Wade, Whiting, Wilson of Clinton—18.

The nays were:

Senators Allen, Bleakly, Burgess, Clark, Dowell, Dunham, Eekles, Ericson, Gilliland, Hopkins, Hughes, Jackson, Kimmel, Kinne, McKlveen, Mattes, Maytag, Newberry, Peterson, Saunders, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Young—29.

Absent or not voting:

Senators Crossley, Seeley, Taylor—3.

So the amendment was lost.

Senator Lambert moved the adoption of the following amendment:

I move to insert the following as Section Twenty-four (24):

"SEC. 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 condidate 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."

Re-number Section Twenty-four and all subsequent sections of the bill to conform herewith.

On the adoption of the amendment, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators DeArmand, DeWolf, Foley, Frudden, Gale, Jamieson of Page, Lambert, McManus, Moon, Smith of Des Moines, Stirton, Taylor, Wade, Whiting, Wilson of Clinton—15.

The nays were:

Senators Allen, Bleakly, Bruce, Clark, Dowell, Dunham, Eckles, Ericson, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Kimmel, Kinne, McKlveen, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Smith of Mitchell, Stookey, Stueckslager, Turner, Whipple, Young—28.

Absent or not voting:

Senators Burgess, Crossley, Elerick, Jones, Seeley, Warren, Wilson of Fayette—7.

So the amendment was lost.

Senator Hopkins moved the previous question.

Carried.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—46.

The nays were:

Senators DeArmand, Nichols—2.

Absent or not voting:

Senators Crossley, Jones—2.

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

Senator Dunham offered the following statement and motion:

MR. PRESIDENT—Senator Crossley has been for his entire legislative term of several sessions, earnestly striving to have primary legislation enacted, and he anxiously looked forward to voting for such a law. Today he is quarantined because of diphtheria in his family, and cannot be here. At his request I bear to you his desire that the Journal should show the cause of his absence and further show that had he been present he would have voted "aye" on the passage of the bill. With his consent I present a letter from him on the subject:

DES MOINES, IOWA, MARCH 18, 1907.

Senator Geo. W. Dunham, Des Moines, Iowa:

MY DEAR SENATOR DUNHAM—I regret that on account of being quarantined at my rooms for diphtheria, I cannot be present when the primary election measure comes up this morning before the Senate. I hope the bill will pass as it now stands, but since we do not all agree upon the same, I am willing to have the bill amended so that a candidate to be nominated must receive at least 35 per cent of the total vote cast

for the office, otherwise the convention to nominate the candidate; also that the judges of our supreme, district, and superior courts be omitted from the provisions of the bill. As to other provisions of the bill, you know my views concerning the same.

It is a measure that I have been deeply interested in for the past six years, and I sincerely hope that you and other members of the Senate who favor the primary election law, will be able to secure its passage at this session of the Legislature.

Thanking you for anything you may do to have the measure passed in accordance with the foregoing, I am,

Most sincerely yours,

JAMES. J. CROSSLEY.

And I move that the Senator's request be granted and the Journal show that had Senator Crossley been present he would have voted "aye" on the passage of Senate File No. 280.

GEO. W. DUNHAM.

The motion prevailed.

EXPLANATIONS OF VOTE.

MR. PRESIDENT—I vote "no" on this bill for the reason that its main provisions are in direct violation of democratic principles and agrees with the democratic idea of a primary only in name.

J. A. DEARMAND.

The following Senators voting aye upon Senate File No. 280, known as the "Primary Election Bill," wish to explain their vote by saying that while they are not satisfied with the present bill in many particulars, it not being such a bill as they would have themselves prepared in the interest of the people of the State of Iowa, and in fairness to all political parties, but in view of the fact that there seems to be a general demand for a primary law, and for the reason that the democratic party has declared in its convention in favor of a primary law, and for the further reason that the democratic party is in favor of keeping all departments of the government as close to the people as possible, and that the proposed bill seems to be the best obtainable at the present time, we have voted for the same.

Sherman W. DeWolf, Thirty-eighth Senatorial District.

E. P. McManus, First Senatorial District.

Thos. Lambert, Twenty-third Senatorial District.

Fred N. Smith, Ninth Senatorial District.

Edwin G. Moon, Thirteenth Senatorial District.

J. L. Wilson, Twenty-second Senatorial District.

W. D. Jamieson, Seventh Senatorial District.

John Foley, Forty-fourth Senatorial District.

Will C. Whiting, Thirty-fourth Senatorial District.

John F. Wade, Thirty-ninth Senatorial District.

L. L. Taylor, Third Senatorial District.

Senator Saunders asked unanimous consent to have two hundred extra copies of Senate File No. 30 printed.

Consent granted.

The President announced that he had signed, in the presence of the Senate, House Files No. 27, 48, 105, 150, 312 and 363.

Senator Bruce moved that the consideration of Senate File No. 18 be postponed, and that it be made a special order for Thursday at 9:30 o'clock A.M.

Carried.

INTRODUCTION OF BILLS.

By Senator McManus, Senate File No. 328, a bill for an act authorizing the employment of convict labor in the care of the State's property and for other purposes.

Read first and second time and referred to Committee on Penitentiaries and Pardons.

By Senator DeWolf (by request), Senate File No. 329, a bill for an act to repeal the law as it appears in Chapter Thirty-nine (39), Section One (1) of the acts of the Thirty-first General Assembly, relating to the term of office of the county officers; extending the time of office of the County Auditor, Clerk, Recorder of Deeds and County Attorney, and making the terms of office four years.

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

Senator Elerick moved the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A.M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,

DES MOINES, IOWA, WEDNESDAY, MARCH 20, A. D. 1907.

Senate met in regular session at 9 o'clock A.M., President Garst presiding.

Prayer was offered by the Rev. S. F. Troutman of Marathon, Iowa.

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

PETITIONS AND MEMORIALS.

Senator Smith of Des Moines presented petition of Burlington Retail Grocers' Association favoring the appropriation of a sufficient amount to secure the enforcement of the Iowa pure food law.

Referred to Committee on Appropriations.

REPORTS OF COMMITTEES.

Senator Kinne, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 199, a bill for an act to amend Chapter Sixty-three (63), laws of the Thirty-first General Assembly, pertaining to the use of wide wagon tires, beg leave to report that they have 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. KINNE,

Chairman.

So the bill was indefinitely postponed.

Senator Kinne, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 278, a bill for an act to authorize the construction of a lock canal between Spirit Lake and East Okoboji Lake, in Dickinson 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 by adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 278.

A BILL for an act to amend Section One (1) of Chapter One Hundred and Eighty-six (186), laws of the Thirtieth General Assembly, relating to lakes and lake beds.

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

SECTION 1. That Section One (1) of Chapter One Hundred and Eighty-six (186), laws of the Thirtieth General Assembly be, and the same is hereby amended, by adding at the end of said section, the following:

“And to grant authority to construct, equip, and maintain canals between any of such lakes so maintained, where the public convenience requires it, said grant to be for such time and upon such terms as it may determine.”

SEC. 2. This act, being deemed of immediate importance, shall be in force and take effect 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.

GEO. KINNE,
Chairman.

The substitute was read first and second time and passed on file.

Senator Jamison of Clarke moved that Special Orders No. 3, 4 and 5 be postponed until next Tuesday at 10 o'clock A.M.

On the motion a roll call was demanded.

On the question, “Shall the motion prevail?”

The yeas were:

Senators Bleakly, Clark, DeArmand, DeWolf, Dowell, Eckles, Elerick, Frudden, Gilliland, Hopkins, Jackson, Jamison of Clarke, Jones, Lambert, McKlveen, Moon, Nichols, Saunders, Smith of Des Moines, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Clinton—26.

The nays were:

Senators Burgess, Dunham, Ericson,, Foley, Hughes, Kimmel, Kinne, Mattes, Newberry, Peterson, Smith of Mitchell, Whiting, Young—13.

Absent or not voting:

Allen, Bruce, Crossley, Gale, Jamieson of Page, McManus, Maytag, Seeley, Stirton, Stuckslager, Wilson of Fayette—11.

So 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 passed the following bill, in which the concurrence of the House was asked:

Senate File No. 50, a bill for an act regulating the election or appointment of the directors or other persons by whom the affairs of corporations organized on the stock plan for transacting the business of life or fire insurance companies are to be conducted, so as to secure proportionate representation to minority stockholders; and providing for the election of directors nominated by a minority of the stockholders; additional to Chapter One (1), Four (4), Six (6), Seven (7) and Eight (8) of Title Nine (9) of 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. 136, a bill for an act to amend Section Fourteen (14) of Chapter One Hundred and Sixty-six (166) of the laws of the Thirty-first General Assembly, relating to the sale of canned goods.

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. 146, a bill for an act amending Section Fifty-three Hundred and Fourteen (5314) of the Code, and providing for the compensation of attorneys appointed by the court to defend persons charged with certain crimes.

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. 262, a bill for an act to provide for sewer outlets and purifying plants in cities of the second class 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. 341, a bill for an act to repeal Section Seventeen Hundred and Seventy-four (1774) of the Code, relating to valuation of policies of life insurance companies 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. 278, a bill for an act authorizing towns and cities, including cities under special charters, to appropriate money to pay dues in the League of Iowa Municipalities, and to pay the actual expense of delegates to the meetings of such league, additional to Chapter Three (3), 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. 375, a bill for an act to regulate the charges of sleeping cars on all railroads in this State, and to provide 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. 402, a bill for an act to limit the expenses, other than losses, of State mutual hail insurance associations, and to limit compensation to be paid to officers, agents and employes of such 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. 342, a bill for an act to repeal Section Fourteen Hundred and Eighty-three (1483) of the Code, relating to roads and highways, 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. 306, a bill for an act providing that owners or keepers of stallions or jacks shall have a lien upon the get of any such animal for the service fee thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House refuses to concur in Senate substitute amendment to the following bill, in which the concurrence of the House was asked:

House File No. 171, a bill for an act to amend Section Thirteen Hundred and Seventy-three (1373) of the Code, relating to the correction of erroneous assessments.

C. R. BENEDICT,
Chief Clerk.

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. 323, a bill for an act to amend Section Fifteen Hundred and Sixty-six-a (1566-a), Supplement to the Code, relating to publications of reports, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Committee on Printing.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was referred to Committee on Printing.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 203, a bill for an act requiring all corporations doing

business within the State to make an annual report and pay an annual license fee to 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 be amended by adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 203.

A BILL for an act providing for reports from corporations to the Secretary of State.

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

SECTION 1. All corporations, whether organized under the laws of this State, or under the laws of any other State, Territory or any foreign country, which has heretofore complied with the laws of this State, relating to organization as a corporation, and secured a certificate of incorporation, or permit to transact business in this State, and all corporations that may hereafter organize and become incorporated under the laws of this State and shall secure a certificate of incorporation or permit to transact business therein, or, any foreign corporation that may hereafter comply with the laws of this State relating to foreign corporations, and secure a permit to transact business within this State, shall, upon demand by the Secretary of State, which demand shall not be made oftener than every six months, furnish the following information to the Secretary of State:

1. The name and postoffice address of the corporation.
2. The amount of capital stock authorized.
3. The amount of capital stock actually issued and outstanding.
4. The names and postoffice address of the officers and directors of the corporation.
5. Whether any change of the place of business of such corporation has been made since its last report to the Secretary of State.
6. Whether the corporation is actively engaged in business and, if so, the general character of the business which it is then actively conducting.

SEC. 2. The report herein provided for shall be executed by an officer of the corporation and duly verified under oath.

SEC. 3. Any corporation which shall fail or refuse to make such report to the Secretary of State, within thirty days after demand therefor, shall be subject to a fine of Twenty-five Dollars (\$25.00) for each offense, to be recovered in a suit brought by and in the name of the State of Iowa, and the proceeds derived from such suits shall, after collection, be paid to the Secretary of State. As an additional and further penalty, the charter of such corporation shall be subject to forfeiture, and any County Attorney shall, upon instructions from the State so to do, bring suit in the name of the State against such corporation to forfeit its charter; provided, however, that no forfeiture shall be decreed if, before the decree of forfeiture, the corporation shall pay to the Secretary of State all amounts which may be due the State for fine theretofore

accrued by reason of the failure of such corporation to make the reports herein provided.

SEC. 4. This act shall not apply to corporations organized for religious, educational, scientific or charitable purposes, or corporations organized under Chapter Two (2) of Title Nine (9) of the Code, or to corporations which, under existing laws, are now required to make annual reports to the Executive Council or the Auditor of State.

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Substitute was read first and second time and passed on file.

Senator Saunders, from the Committee on Telegraphs and Telephones, submitted the following report:

MR. PRESIDENT—Your Committee on Telegraphs and Telephones, to whom was referred Senate File No. 145, a bill for an act to amend Section Sixteen Hundred and Ten (1610) of the Code, relative to the exemption of farmers' mutual telephone associations from the payment of incorporation fee, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. G. SAUNDERS,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Saunders, from the Committee on Telegraphs and Telephones, submitted the following report:

MR. PRESIDENT—Your Committee on Telegraphs and Telephones, to whom was referred Senate File No. 235, a bill for an act to protect trainmen, and to regulate the stringing of wires over railroad tracks, and relative to the maintenance of such wires heretofore strung, beg leave to report that 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 therefor, and that when the substitute is so adopted that the same do pass:

SUBSTITUTE FOR SENATE FILE NO. 235.

A BILL for an act to protect the safety of railroad employes by regulating the maintaining and stringing of other wires over railroad tracks.

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

SECTION 1. The Railroad Commissioners of this State shall have general supervision over any and all wires for transmitting electric current or any other wire whatsoever crossing under or over any track of a railroad in this State.

SEC. 2. Within thirty (30) days from the taking effect of this act said Railroad Commissioners shall make regulations prescribing the manner in which such wires shall cross such railroad tracks in this State.

SEC. 3. It shall hereafter be unlawful for any corporation or person to place or string any such wire for transmitting electric current or any wire whatsoever across any track of a railroad in this State except in such manner as may be prescribed by the Railroad Commissioners as provided by this act.

SEC. 4. The Board of Railroad Commissioners shall, as soon as possible after the taking effect of this act, either by personal examination or otherwise, obtain information where the tracks or railroads are crossed by wires strung over said tracks, contrary to, or not in compliance with, the rules prescribed by the Railroad Commissioners as contemplated by this act, and shall order such change or changes to be made by the persons or corporations owning or operating such wires as it may deem necessary to make the same comply with said rules and within such reasonable time as it may prescribe.

SEC. 5. In case such wires cross over said track, in no case shall said Board of Railroad Commissioners prescribe a less height than twenty-two (22) feet above the top of the rails of any railroad track for any wire.

SEC. 6. The Board of Railroad Commissioners are hereby authorized to provide for and regulate the crossing of wires over and across railroad rights of way at highways and other places within the State.

SEC. 7. Any person or corporation who string or maintain any wire across any railroad track in this State at a different height or in a different manner from that prescribed by the said Board of Railroad Commissioners shall forfeit and pay to the State of Iowa the sum of One Hundred Dollars (\$100.00) for each separate period of ten days during which such wire is so maintained, said forfeiture to be recovered in a civil action brought in any court of competent jurisdiction in the name of the State of Iowa, by the Attorney-General, or by the County Attorney of the county in which such wire is situated, at the request of the said Board of Railroad Commissioners, and it is hereby made the duty of the said Attorney-General and County Attorney to bring such action forthwith upon being so requested.

C. G. SAUNDERS.

Chairman.

Adopted.

The substitute was read first and second time and passed on file.

INTRODUCTION OF BILLS.

By Senator Turner, Senate File No. 330, a bill for an act relating to the sale of intoxicants in the vicinity of military reservations, and providing a penalty for the violation thereof.

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

REPORTS 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. 14, a bill for an act relating to fraternal beneficiary societies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. P. WHIPPLE,
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 House File No. 49, 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, beg leave to report that they 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.

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 providing for a uniform policy to be used by all fire insurance companies doing business 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, it being identical with the provisions of House File No. 49, herewith reported with the recommendation that it do pass.

W. P. WHIPPLE,
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 House File No. 292, a bill for an act to repeal Section Sixteen Hundred and Ninety-nine (1699) of the Code, and to enact a substitute therefor,

in relation to investment of funds of insurance companies other than life, and organized under Chapter 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 be indefinitely postponed.

W. P. WHIPPLE,
Chairman.

Adopted.

So the bill was indefinitely postponed.

THIRD READING OF BILLS.

The time having arrived for the special order, Senate File No. 111, a bill for an act relating to the organization and officers of cities and towns, amending Chapter Two (2), Title Five (5) of the Code, and of the law as it appears in the Supplement to the Code, was taken up and considered.

Senator Saunders moved the adoption of the following amendment:

Amend Section Four (4) of the printed bill by inserting after the word "Auditor," in the fourth line, a comma and the words "city engineer."

Adopted.

Senator Dowell moved the adoption of the following amendment:

Strike out the words "a city engineer" in the first line of Paragraph Two (2) of Section Eight (8) of the printed bill.

Adopted.

Senator Young moved the adoption of the following amendment:

I move to amend by inserting between the letter "a" and the word "marshal" in the first line of subsection One (1) of Section Eight (8) the following: "health physician, a street commissioner and a" and insert between the word "mayor" and the word "he" in the seventh line of subsection one (1) and of Section Eight (8) the following: "he shall also appoint such other officers as shall be provided by ordinance."

Also amend by striking the word "a physician, a street commissioner and" in lines thirteen and fourteen of subsection Two (2) of Section Eight (8), and by striking out subsections Three (3) and Four (4) of Section Eight (8).

Adopted.

Senator Nichols moved that the bill be referred to Committee on Cities and Towns.

The motion to refer was lost.

The amendment was adopted.

Senator Saunders moved the adoption of the following amendment:

Strike out Section Twenty (20) of the original bill and renumber all following sections.

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Stuckslager, Taylor, Turner, Whipple, Wilson of Fayette, Young—29.

The nays were:

Senators Bleakly, Clark, DeWolf, Jamieson of Page, Lambert, McKlveen, Mattes, Maytag, Nichols, Stirton, Warren, Whiting—12.

Absent or not voting:

Senators Bruce, Burgess, Crossley, DeArmand, Gale, Jamison of Clarke, McManus, Wade, Wilson of Clinton—9.

Senator Dowell moved the adoption of the following amendment to the title:

And providing for appointment of a board of public works and defining its duty, and providing a penalty for the violation of the provisions of this act.

Adopted.

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

EXPLANATION OF VOTE.

I vote "no" upon Senate File No. 111 because I think we should have further information before making such general changes in municipal government.

SHERMAN W. DEWOLF,
Thirty-eighth District.

Senator Stookey asked unanimous consent to have Senate File No. 244 made a special order to follow the special order already made for Friday, 10 o'clock A.M.

Consent granted.

The President announced that he had a communication from the Governor that would require an executive session.

Senator Turner 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-second General Assembly:

I beg to advise your honorable body that, subject to your advice and consent, I have appointed John T. Hamilton of Cedar Rapids to succeed himself as member of the State Board of Control for the term of six years, beginning April 7, 1908, and I herewith respectfully submit such appointment for your consideration.

ALBERT B. CUMMINS,
Governor.

March 19, 1907.

The President referred the appointment to a committee as provided by law.

The Senate arose from executive session.

The Senate resumed regular session.

The time having arrived for the special order, Senate File No. 223, 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 recommending passage, as amended, was taken up, considered, and the report of the committee adopted.

Senator Dunham moved the adoption of the following committee amendment:

Amend by adding to Section Ten (10) the following: "provided, however, that no warrants shall be drawn upon the treasury in excess of the funds received by virtue of this act."

Adopted.

President Pro Tem. Smith was called to the chair at 10:55 o'clock.

The bill was read for information.

The President resumed the chair at 11:50 o'clock.

Further consideration of the bill was postponed until the afternoon session.

Senator Saunders moved that the Senate have an afternoon session.

Carried.

Senator Maytag reported that the Committee on Appropriations were unable to report bills in the time required by the rules and asked unanimous consent that the time for making such report be extended.

Consent granted.

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

Senator Hughes moved that the Senate do now adjourn.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P.M., President Garst presiding.

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. 396, a bill for an act defining bucket shop and bucket shopping, making it a crime to maintain and operate the same and providing penalties for so doing.

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 repeal Sections Twenty-one Hundred and Fifty-three (2155) and Twenty-one Hundred and Fifty-five (2155) of the Code, relating to joint freight rates over two or more connecting lines of railway between points within this State, and to enact 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 Senate is asked:

House File No. 424, a bill for an act to prevent the throwing or disposing of drugs or medicines as sample or otherwise in private or public places.

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. 298, a bill for an act to amend Chapter Twenty-two (22), of the laws of the Thirty-first General Assembly, relating to the construction of hospitals.

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. 18, a bill for an act to repeal Section Thirty-one Hundred and Thirty-five (3135) of the Code, relative to the liability of common carriers for damages occasioned to baggage or other property belonging to travelers, 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. 426, a bill for an act to encourage the propagation of Mongolian Ring Neck, English and Chinese pheasants, and to prohibit the killing 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. 362, a bill for an act repealing Sections Twenty-one Hundred and Sixty-five (2165) and Twenty-one Hundred and Sixty-six (2166) of the Code, and enacting a substitute therefor, pertaining to express 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. 403, a bill for an act to enlarge the powers and further define the duties of the Board of Railroad 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. 290, a bill for an act for the better protection of farm lands from the infection of fowl seeds and to require railroad and railway corporations to cut, burn or otherwise entirely destroy certain noxious weeds growing upon the right of way.

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. 118, a bill for an act to amend Section Twenty-six Hundred and Two (2602) of the Code, relating to admission of persons to the Soldiers' Home.

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. 345, a bill for an act to amend Section Seventeen Hundred and Forty-three (1743) of the Supplement to the Code, relative to the removal of goods and merchandise covered by insurance.

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. 107, a bill for an act to repeal Section Eighteen Hundred and Sixty-nine (1869) of the Code of Iowa, relating to pay of, and loans to, officers of State and savings banks, 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 indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate File No. 80, a bill for an act appropriating money to J. H. Cownie, Jr., R. R. McCutchen and F. M. Hubbell, as trustees, to reimburse them for the funds advanced and used in the purchase of a tract of land for the State as an addition to 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 Senate is asked:

House File No. 389, a bill for an act amendatory of and additional to Chapter Fifteen (15) of the Code and Supplement to the Code, relative to the care and propagation of fish.

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 amend Section Twenty Hundred and Twenty-two (2022) of the Code, relating to cattle guards at private crossings of 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. 405, a bill for an act to amend Section Six Hundred and Seventy-four (674) of the Supplement to the Code, relating to the compensation of assessors and deputies.

C. R. BENEDICT,
Chief Clerk.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 107, a bill for an act to repeal Section Eighteen Hundred and Sixty-nine (1869) of the Code, relating to pay of, and loans to, officers of State and savings banks, and to enact a substitute therefor.

Also:

House File No. 118, a bill for an act to amend Section Twenty-six Hundred and Two (2602) of the Code, relating to admission of persons to the Soldiers' Home.

Also:

House File No. 345, a bill for an act to amend the law as it appears in Section One Thousand Seven Hundred and Forty-three (1743) of the Supplement to the Code, relative to the removal of goods and merchandise covered by insurance.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 192, a bill for an act to amend Section Seven Hundred and Sixty-eight

(768) of the Code, relating to vestibules on street cars, for the protection of employes operating such cars.

Also:

Senate File No. 183, a bill for an act providing for placing a statue in bronze of James Harlan, ex-Senator of Iowa, in the National Statuary Hall in the Capitol building of Washington, D. C., and appropriating money to pay therefor.

W. B. SEELEY,
Chairman.

Ordered passed on file.

Senator Seeley, 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. 69, a bill for an act to amend the law as it appears in Section Thirty-five Hundred and Twenty-nine (3529) of the Supplement to the Code, relating to the service of original notice upon any corporation or person owning or operating any railway, or canal, steamboat or other river craft, or any telegraph, telephone, stage, coach, or car line, express company, or foreign corporation.

Also:

Senate File No. 300, a bill for an act to amend Section Four Hundred and Forty-eight (448) of the Code, relating to borrowing money for the erection of public buildings in counties having a population of forty thousand (40,000) or over.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 192, a bill for an act to amend Section Seven Hundred and Sixty-eight (768) of the Code, relating to vestibules on street cars, for the protection of employes operating such cars.

Also:

Senate File No. 183, a bill for an act providing for placing a statue in bronze of James Harlan, ex-Senator of Iowa, in the National Statuary Hall in the Capitol building of Washington, D. C., and appropriating money to pay therefor.

Also:

Senate File No. 69, a bill for an act to amend the law as it appears in Section Thirty-five Hundred and Twenty-nine (3529) of the Supplement to the Code, relating to the service of original notice upon any corporation or person owning or operating any railway, or canal, steamboat or other river craft, or any telegraph, telephone, stage, coach, or car line, express company, or foreign corporation.

Also:

Senate File No. 300, a bill for an act to amend Section Four Hundred and Forty-eight (448) of the Code, relating to borrowing money for the erection of public buildings in counties having a population of forty thousand (40,000) or over.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 192, a bill for an act to amend Section Seven Hundred and Sixty-eight (768) of the Code, relating to vestibules on street cars, for the protection of employes operating such cars.

Also:

Senate File No. 183, a bill for an act providing for placing a statue in bronze of James Harlan, ex-Senator of Iowa, in the National Statuary Hall in the Capitol building of Washington, D. C., and appropriating money to pay therefor.

W. B. SEELEY,
Chairman.

Ordered passed on file.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval Senate File No. 69, a bill for an act to amend the law as it appears in Section Thirty-five Hundred and Twenty-nine (3529) of the Supplement to the Code, relating to the service of original notice upon any corporation or person owning or operating any railway, or canal, steamboat or other river craft,

or any telegraph, telephone, stage, coach, or car line, express company, or foreign corporation.

Also:

Senate File No. 300, a bill for an act to amend Section Four Hundred and Forty-eight (448) of the Code, relating to borrowing money for the erection of public buildings in counties having a population of forty thousand (40,000) or over.

W. B. SEELEY,
Chairman.

Ordered passed on file.

Senate resumed consideration of Senate File No. 223, a bill for an act additional to and amendatory to the law as it appears in Chapter Six (6) of Title XII (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.

Senator Young was called to the chair at 1:50 o'clock.

The President resumed the chair at 2:45 o'clock.

Senator Hopkins moved the previous question.

Carried.

Senator Dunham moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Clark, Dunham, Ericson, Gale, Gilliland, Jamieson of Page, Kimmel, Kinne, McKlveen, Nichols, Peterson, Seeley, Stuckslager, Turner, Whiting—18.

The nays were:

Senators DeArmand, DeWolf, Dowell, Eckles, Elerick, Foley, Frudden, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Tay-

lor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—30.

Absent or not voting:

Senators Bruce, Crossley—2.

So the bill having failed to receive a constitutional majority was declared lost.

The President announced that he had signed, in the presence of the Senate, House Files No. 107, 118 and 345, and Senate Files No. 300, 183, and 192.

REPORT OF COMMITTEE.

Senator Stuckslager, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate File No. 291, a bill for an act to regulate trust companies and State and savings banks to act in a fiduciary capacity, and to amend Section Sixteen Hundred and Eleven (1611) of the Code, relating to corporations, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. C. STUCKSLAGER,

Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Warren, Senate File No. 331, a bill for an act to require the County Attorney to enforce the liquor laws and providing for his removal in case he refuses or neglects such duty.

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

By unanimous consent, on motion of Senator Dowell, Senate Substitute for House File No. 104, a bill for an act to provide for the preparation of new jury lists where, for any cause, a lawfully constituted grand jury or petit jury cannot be obtained, or lawfully qualified talesmen cannot be selected under the law from those persons who are returned by the election officers to serve as jurors, was taken up and considered.

Senator Dowell moved that the Senate concur in the following House amendments:

Amend Senate substitute for House File No. 104, by striking out the words and figures "during the years 1907 and 1908" in the first line of Section One (1) and inserting the word "hereafter" in lieu thereof.

Also by changing the spelling of the word "talisman" to "talesman" in title and in Section One (1).

On the question, "Shall the Senate concur in the House Amendments?"

The yeas were:

Senators Bleakly, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, Crossley, Stuckslager, Taylor, Turner—6.

So the amendments were concurred in.

REPORTS OF COMMITTEES.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 264, a bill for an act making an appropriation for the construction of a dam and fishway at the outlet of Silver Lake, Dickinson 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 indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 128, a bill for an act to amend Sections Twenty-five Hundred and Twenty-nine (2529), Twenty-five Hundred and Thirty (2530) and Twenty-five Hundred and Thirty-four (2534) of the Code, and to repeal and enact substitutes for Sections Twenty-five Hundred and Thirty-three (2533) and Twenty-five Hundred and 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 the Senate with the recommendation that the same do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House Joint Resolution No. 4, approving estimates of cost of plans and specifications of library building at Cedar Falls, 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. L. MAYTAG,
Chairman.

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. 20, a bill for an act to repeal Chapter Fifty (50) of Title Nine (9) of the Code, and enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Section One. Line eight. Strike out the word "other" and insert in lieu thereof the word "similar."

Add to the bottom of the said Section One (1) the following paragraph:

Risks or hazards above mentioned shall be classified as follows:

1. Fire and lightning.
2. Tornadoes, cyclones and windstorms.
3. Hailstorms.
4. Plate glass.

Section Three. Strike out lines one, two and three, and the first six words of line four, to and including the word "received," and insert in lieu thereof the following:

Sec. 3. No State mutual assessment association shall issue any policies until at least one hundred and twenty-five (125) applications have been received in any class as shown by Section One (1) hereof, representing the following amount of insurance: Classes one, two and three, Two Hundred and Fifty Thousand Dollars (\$250,000.00) each; class four, One Hundred Thousand Dollars (\$100,000.00).

Section Four. Strike out line numbered sixteen and insert the following in its place:

16. Amount and number of claims reported but not adjusted.

Strike from the line numbered seventeen the word "losses" and insert the word "claims" in its place.

Strike the entire line numbered twenty-two and insert the following in its place:

22. The amount of cash in hands of agents and in course of transmission.

Section Seven. Add to line six after the word "no" the words "state mutual."

Add to last line of Section Seven (7), after the word "advance," the words "where such assessment exceeds three (3) mills on each dollar of insurance in force."

Transpose Sections Seven (7) and Eight (8), numbering the present Section Seven (7) as Section Eight (8) and the present Section Eight (8) as Section Seven (7).

Section Nine. Amend line two by inserting after the word "chapter" the words "except such associations as confine their business exclusively to dwelling houses, barns, farm buildings, and contents."

Amend line six by inserting after the words "forty (40) per cent" the words "but not to exceed fifty (50) per cent."

Section Twelve. Strike the words "be of the opinion" from line two and substitute the word "ascertain."

Strike from line twenty-three the words "Two Hundred and Fifty Thousand Dollars (\$250,000.00)" and insert in lieu thereof the words "the amount required by Section Three (3) hereof."

Section Thirteen. Substitute the following for Section Thirteen (13):

SEC. 13. Any policy of insurance issued by an association operating under the provisions of this chapter may be cancelled by the association giving five (5) days' written notice thereof to the insured, or if the insured shall demand, in writing or in person, of the association, the cancellation of his policy, the association shall immediately advise him, by letter to address named, the amount, if any, due, as his pro rata share of losses and expenses incurred since date of his policy. Upon surrender of his policy and payment of all sums due, his membership shall cease; provided, that during the months of June, July and August, hail insurance policies may be cancelled only at the option of the officers of the association carrying the risk.

Upon the expiration or cancellation of any policy of insurance issued under the provisions of this act, all obligations to the association having

been paid, the member shall be entitled to, and shall be paid by the association, a sum equal to at least seventy-five (75) per cent of the unexpended portion of the amount contributed by him to the reinsurance reserve.

Strike from the bill, wherever they occur, the words "insurance department" or the words "Insurance Commissioner," and substitute therefor the words "State Auditor," and in conformity with this provision, change the word "it" to "his" in line two of Section Five (5).

And when so amended the bill do pass.

W. P. WHIPPLE,
Chairman.

Adopted.

Senator Bleakly asked unanimous consent to have Senate File No. 20 made a special order for Saturday at 10 o'clock A.M.

Consent granted.

The President announced the following communication from the Governor, which was read:

To the Senate of the Thirty-second General Assembly:

GENTLEMEN—I return to you Senate File No. 169 without my approval. I am constrained to withhold my approval from this bill for two reasons:

First. It takes away from the Secretary of State a most important duty, and relieves him of a serious responsibility, and imposes both upon a new office or department, created by the bill.

If you will examine Section One (1), Chapter V (5) of the laws of the Thirtieth General Assembly, you will observe that its second sentence begins with the word "he." This word now refers to the Secretary of State, and that which follows in the section relates to his powers and duties. If the amendment proposed by the bill is made, the word "he" will refer to the "document librarian," and thus the whole plan of the care and custody of our public documents will be overturned. If I believed that it was the deliberate purpose of the General Assembly in passing this bill to introduce so radical a change, I would not substitute my own views in the place of those held by the Legislature; but inquiry has made it plain to me that it was not the intent of the author of the bill, nor of the members, to make the change which the amendment will bring about. Therefore, I have less hesitation in returning the bill to you for further consideration.

Second. It has been, for a long time, the policy of the State to leave with the Committee on Retrenchment and Reform the regulation of the salaries of such of the employes about the Capitol building as were not years ago fixed by statute. The policy is a wise one, and should be maintained. Properly speaking, there is no document library, and there can be no document librarian. The Secretary of State is the custodian and distributor of the public documents. He must employ, of course, a sufficient number of persons to enable him to do the work imposed upon him

by the law; but there is no reason for putting one of these employes beyond the power of the Committee on Retrenchment and Reform that would not apply with equal force to every employe about the State House.

Respectfully submitted,

ALBERT B. CUMMINS.

March 20, 1907.

Senator Gilliland moved that the consideration of the communication from the Governor be deferred until tomorrow.

Carried.

HOUSE MESSAGES CONSIDERED.

Senate File No. 50, a bill for an act regulating the election or appointment of the directors or other persons by whom the affairs of corporations organized on the stock plan for transacting the business of life or fire insurance companies are to be conducted, so as to secure proportionate representation to minority stockholders; and providing for the election of directors nominated by a minority of the stockholders; additional to Chapters One (1), Four (4), Six (6), Seven (7) and Eight (8) of Title Nine (9) of the Code.

Passed on file.

House amended and passed Senate File No. 136, a bill for an act to amend Section Fourteen (14) of Chapter One Hundred and Sixty-six (166) of the laws of the Thirty-first General Assembly, relating to the sale of canned goods.

Passed on file.

House indefinitely postponed Senate File No. 146, a bill for an act amending Section Five Thousand Three Hundred and Fourteen (5314) of the Code and providing for the compensation of attorneys appointed by the court to defend persons charged with certain crimes.

Passed on file.

House amended and passed Senate File No. 262, a bill for an act to provide for sewer outlets and **purifying** plants in cities of the second class and towns.

Passed on file.

House File No. 341, a bill for an act to repeal section Seventeen Hundred and Seventy-four (1774) of the Code, relating to valuation of policies of life insurance companies and to enact a substitute therefor.

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

House File No. 278, a bill for an act authorizing towns and cities, including cities under special charters, to appropriate money to pay dues in the League of Iowa Municipalities, and to pay the actual expenses of delegates to the meetings of such league; additional to Chapter Three (3), Title Five (5) of the Code.

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

House File No. 375, a bill for an act to regulate the charges of sleeping cars on all railroads in this State and to provide penalties for the violation thereof.

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

House file No. 402, a bill for an act to limit the expenses, other than losses, of state mutual hail insurance associations, and to limit compensation to be paid to officers, agents and employes of such associations.

Read first and second time and referred to Committee in Insurance.

House File No. 342, a bill for an act to repeal Section Fourteen Hundred and Eighty-three (1483) of the Code, relating to roads and highways, and to enact a substitute therefor.

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

House File No. 306, a bill for an act providing that owners or keepers of stallions or jacks shall have a lien upon the get of any such animal for the service fee thereof.

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

House refuses to concur in Senate amendments to House File No. 171, a bill for an act to amend Section Thirteen Hundred and Seventy-three (1373) of the Code, relating to the correction of erroneous assessments.

Passed on file.

House indefinitely postponed Senate File No. 80, a bill for an act appropriating money to J. H. Cownie, Jr., R. R. McCutchen and F. M. Hubbell, as trustees, to reimburse them for the funds advanced and used in the purchase of a tract of land for the State as an addition to the State Fair Grounds.

Passed on file.

House File No. 389, a bill for an act amendatory of and additional to Chapter Fifteen (15) of the Code and Supplement to the Code, relative to the care and propagation of fish.

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

House File No. 385, a bill for an act to amend Section Twenty Hundred and Twenty-two (2022) of the Code, relating to cattle guards at private crossings of railways.

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

House File No. 405, a bill for an act to amend Section Six Hundred and Seventy-four (674) of the Supplement to the Code, relating to the compensation of assessors and deputies.

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

House File No. 282, a bill for an act to repeal Sections Twenty-one Hundred and Fifty-three (2153) and Twenty-one Hundred and Fifty-five (2155) of the Code, relating to joint freight rates over two or more connecting lines of railway, between points within this State, and to enact substitutes therefor.

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

House File No. 424, a bill for an act to prevent the throwing or disposing of drugs or medicines as sample or otherwise in private or public places.

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

House File No. 298, a bill for an act to amend Chapter Twenty-two (22) of the laws of the Thirty-first General Assembly, relating to the construction of hospitals.

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

House File No. 18, a bill for an act to repeal Section Thirty-one Hundred and Thirty-five (3135) of the Code, relative to the liability of common carriers for damages occasioned to baggage or other property belonging to travelers, and to enact a substitute therefor.

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

House File No. 426, a bill for an act to encourage the propagation of Mongolian Ring Neck, English and Chinese pheasants, and to prohibit the killing thereof.

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

House File No. 362, a bill for an act repealing Sections Twenty-one Hundred and Sixty-five (2165) and Twenty-one Hundred and Sixty-six (2166) of the Code, and enacting a substitute therefor, pertaining to express companies.

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

House File No. 403, a bill for an act to enlarge the powers and further define the duties of the Board of Railroad Commissioners.

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

House File No. 290, a bill for an act for the better protection of farm lands from the infection of fowl seeds and to require railroad

and railway corporations to cut, burn, or otherwise entirely destroy, certain noxious weeds growing upon the right of way.

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

House concurred in Senate amendment to House File No. 118, a bill for an act to amend Section Twenty-six Hundred and Two (2602) of the Code, relating to admission of persons to the Soldiers' Home.

Passed on file.

House concurred in Senate amendment to House File No. 345, a bill for an act to amend Section Seventeen Hundred and Forty-Three (1743) of the Supplement to the Code, relative to the removal of goods and merchandise covered by insurance.

Passed on file.

House concurred in Senate amendments to House File No. 107, a bill for an act to repeal Section Eighteen Hundred and Sixty-nine (1869) of the Code of Iowa, relating to pay of and loans to officers of State and savings banks, and to enact a substitute therefor.

Passed on file.

House File No. 396, a bill for an act defining bucket shop and bucket shopping, making it a crime to maintain and operate the same, and providing penalties for so doing.

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

Senator Kimmel moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A.M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, MARCH 21, A. D. 1907.

Senate met in regular session at 9 o'clock A.M., President Garst presiding.

Prayer was offered by the Rev. A. E. Buriff of Hamburg, Iowa.

PETITIONS AND MEMORIALS.

Senator Foley presented several telegrams from Nashua, Iowa, protesting against the passage of the proposed Reciprocal Demurrage Bill.

Referred to Committee on Railroads.

Senator Bleakly presented telegram from the annual meeting of the Northwestern Iowa Lumbermen protesting against the passage of the proposed Reciprocal Demurrage Bill.

Referred to Committee on Railroads.

Senator Whipple presented petition of residents of Toledo, Iowa, asking that such steps be taken as are necessary to permit the voters of the State to decide the question of woman suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Taylor presented petition of residents of Bloomfield, Iowa, asking that the voters of the State be given an opportunity to decide by ballot the question of woman suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

INTRODUCTION OF BILLS.

By Senator Saunders, Senate File No. 332, a bill for an act to provide for the election of county officers and fixing their terms of office.

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

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. 301, a bill for an act to indemnify C. T. Jones for money paid out by him in contesting a civil action instituted against him by 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 Appropriations Committee, with the further recommendation that the bill do pass.

CHAS. ECKLES,
Chairman.

Adopted.

So the bill was referred to the Committee on Appropriations.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 1, a bill for an act to amend the law as it appears in Section Four Hundred and Twenty-two (422) of the Code and Section Sixteen Hundred and Eighty (1680) of the Code, relating to the purchase of land for County Fair Societies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAS. E. BRUCE,
Chairman.

Adopted.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 105, a bill for an act to amend Chapter Ten (10) of the Code, relating to United States levees, etc., beg leave to report that they have had the same under consideration and have instructed me to re-

port the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAS. E. BRUCE,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Kinne, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 273, a bill for an act to repeal Section Fifteen Hundred and Thirty-three (1533) of the Supplement to the Code, and Chapter Fifty-seven (57) of the acts of the Thirty-first General Assembly, and enact a substitute therefor, relating to the duties of Township Trustees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

GEO. KINNE,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Kinne, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 16, a bill for an act to amend Section One Thousand Five Hundred and Twenty-eight (1528) of the Supplement to the Code, relative to road tax, the method of payment thereof, the reservation of such tax for payment of benefits assessed against townships in drainage districts and the duties of Township Trustees, Township Clerk and County Auditor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

GEO. KINNE,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Saunders moved that Senate File No. 30 be made a special order to follow the completion of Senate File No. 212.

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. 429, a bill for an act for the relief of the grantees of James Seby Parsons, for the purpose of having a patent issued in the name of Cornelis De Geest 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 Senate is asked:

House File No. 358, a bill for an act to amend Section Twenty-seven Hundred and Seventy-one (2771) of the Supplement to the Code, relative to the filling of vacancies on the school board.

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 Twenty-seven Hundred and Seventy-seven (2777) of the Code, relative to requirements of kindergarten teachers.

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. 398, a bill for an act to prohibit the service of certain male animals for breeding purposes within six hundred feet of a public school building during terms of school, and providing penalties for a violation of 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. 75, a bill for an act making appropriations for swine barns with show rings, a steel constructed amphitheater and additional land at the Iowa State Fair and Exposition 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 Senate is asked:

House File No. 305, a bill for an act to transfer the duties, powers and authority granted to or enjoined upon the Auditor of State under the provisions of Chapter Thirty-four (34), acts of the Thirty-first General Assembly, relating to publication of municipal accounts, establishing uniform system of accounts, reports and audits in cities and towns, from the Auditor of State to 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. 303, a bill for an act to repeal Sections Three Hundred and Seventy-three (373), Three Hundred and Seventy-four (374), Three Hundred and Seventy-five (375) and Three Hundred and Seventy-six (376) of the Code, in relation to notaries public, and enact substitutes therefor; also to amend Section Sixty-eight (68) of the Code, in relation to the registration of commissions.

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. 304, a bill for an act to transfer from the Auditor of State to the Treasurer of State all of the powers, duties and responsibilities relating to State and savings banks and 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. 313, a bill for an act to repeal the law as it appears in Chapter One Hundred and 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 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.

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. 88, a bill for an act to amend Section Forty-one Hundred and Twenty (4120) of the Code, relative to the time for filing abstract in 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 Senate is asked:

House File No. 91, a bill for an act relative to the appointment of non-residents of the State as executors.

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 giving certain powers to the Board of Supervisors, in relation to the alteration or straightening of highways, and to prevent the encroachment of streams thereon, and to condemn lands necessary for said 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. 408, a bill for an act to amend Section Three Hundred and Ten (310) of the Supplement to the Code, relating to qualification for admission to the bar.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Dowell, Senate File No. 212, a bill for an act to provide for the government of certain cities, amending Title Five (5) of the Code, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Dowell moved the adoption of the following committee amendment:

Amend Section Two (2) by striking the figures and word "100 electors" from the first line of said section and inserting in lieu thereof the following: "Electors equal in number to ten percentum of the votes cast for all candidates for mayor at the last preceding city election."

Adopted.

Senator Dowell moved the adoption of the following committee amendment:

Amend Section Four (4) by striking from said section all after the word "councilmen" in the second line thereof down to and including the word "election" in the seventh line thereof; also by striking out the word "said" after the word "if" and before the word "vacancy" in the eighth line of said section and inserting in lieu thereof the word "any;" also by striking from the eighth and ninth lines of said section the words "six months or less before the next general municipal election in said city, then" and inserting in lieu thereof the words "in any such office."

Adopted.

Senator Dowell moved the adoption of the following committee amendment:

Amend Section Five (5) by inserting between the word "general" and the word "election" in the eighth line thereof the word "municipal;" also by inserting between the word "general" and the word "election" in the twelfth line thereof the word "municipal."

Adopted.

Senator Dowell moved the adoption of the following committee amendment:

Amend by adding after Section Five (5) the following as Sections Five-a (5-a) and Five-b (5-b):

"Sec. 5-a. Any person who shall agree to perform any services in the interest of any candidate for any office provided in this act, in consideration of any money or other valuable thing for such services performed in the interest of any candidate, shall be punished by a fine not exceeding Three Hundred Dollars (\$300) or be imprisoned in the county jail not exceeding thirty (30) days.

"Sec. 5-b. Any person offering to give a bribe, either in money or other consideration, to any elector for the purpose of influencing his vote at any election provided in this act, or any elector entitled to vote at any such election receiving and accepting such bribe or other consideration; any person making false answer to any of the provisions of this act relative to his qualifications to vote at said election; any person wilfully voting or offering to vote at such election who has not been a resident of this State for six months next preceding said election, or

who 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; any person knowingly procuring, aiding, or abetting any violation hereof shall be deemed guilty of a misdemeanor and upon conviction shall be fined a sum not less than One Hundred Dollars (\$100) nor more than Five Hundred Dollars (\$500) and be imprisoned in the county jail not less than ten (10) nor more than ninety (90) days."

Adopted.

Senator Dowell moved the adoption of the following committee amendment:

Also amend Section Five (5) by adding after the word "class" in line one hundred and nine and before the word "would" the words "and cities acting under special charter;" also by striking from line one hundred and eleven the words "city of the first class" and inserting in lieu thereof the word "cities;" also by inserting in line one hundred and twelve between the word "general" and the word "election" the word "municipal;" also by inserting between the word "in" and the word "cities" in line one hundred and seventeen the word "such" and by striking from said line following the word "cities" the words "of the first class."

Adopted.

Senator Dowell moved the adoption of the following committee amendment:

Amend Section Seven (7) by adding after the word "class" in the eighth line thereof the words "and cities acting under special charter."

Adopted.

Senator Dowell moved the adoption of the following committee amendment:

Amend Section Ten (10) by striking out the word "to" after the word "salaries" in the twelfth line thereof and inserting in lieu thereof the word "shall."

Adopted.

Senator Dowell moved the adoption of the following committee amendment:

Amend Section Twelve (12) by striking from line eleven after the word "for" and before the word "interurban" the word "railways."

Adopted.

Senator Dowell moved the adoption of the following committee amendment:

Amend Section Thirteen (13) by striking from line eight thereof after the word "a" and before the word "interurban" the word "railways;" also by striking from line fourteen after the word "any" and before the word "interurban" the word "railway;" also by adding to said section the following:

"Any officer or employe of such city who, by solicitation or otherwise, shall exert his influence directly or indirectly to influence other officers or employes of such city to adopt his political views or to favor any particular person or candidate for office, or who shall in any manner contribute money, labor, or other valuable thing to any person for election purposes shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding Three Hundred Dollars (\$300) or by imprisonment in the county jail not exceeding thirty (30) days."

Adopted.

Senator Dowell moved the adoption of the following committee amendment:

Amend Section Fourteen (14) by striking lines nineteen, twenty, and twenty-one from Subdivision (b) of said section; also by striking from line six of Subdivision (d) of said section the word "commissioners" and inserting in lieu thereof the word "council;" also by adding after the word "assembly" and before the word "shall" in line nine of Subdivision (f) of said section the words "and subsequent amendments thereto."

Adopted.

Senator Dowell moved the adoption of the following committee amendment:

Amend Section Eighteen (18) by striking out the word "twenty" in the sixth line and inserting in lieu thereof the word "forty."

The amendment was lost.

Senator Dowell moved the adoption of the following committee amendment:

Amend Section Nineteen (19) by inserting in line three of Subdivision (b) of said section after the word "general" and before the word "election" the word "municipal;" also by inserting in line five of Subdivision (b) of said section after the word "general" and before the word "election" the word "municipal;" also by adding after the word "month" in the twenty-fifth line of Subdivision (b) the words "for such purpose."

Adopted.

Senator Dowell moved the adoption of the following committee amendment:

Amend Section Twenty (20) by striking out the word "twenty-five"

in the eighth line of said section and inserting in lieu thereof the word "forty."

The amendment was lost.

Senator Dowell moved the adoption of the following committee amendment:

Amend by inserting in line ten after the word "general" and before the word "election" the word "municipal."

Adopted.

Senator Gillillan d moved that the time for the consideration of the special order fixed for Senate File No. 18 be postponed until the bill under consideration be disposed of.

The motion was lost.

Further consideration of the bill was postponed.

The time having arrived for the special order, Senate File No. 18, a bill for an act regulating the sale of agricultural seeds, concentrated commercial feeding-stuffs and the materials from which they are manufactured; defining concentrated commercial feeding-stuffs, and what shall constitute purity in various kinds of seeds; prohibiting the adulteration and providing for the correct weighing and marking of agricultural seeds and concentrated commercial feeding-stuffs; and providing for the collection of samples, analyses of the same, and fixing penalties for its violation, with report of committee recommending passage as amended, was taken up, considered, and the report of the Committee on Appropriations adopted.

Senator Newberry moved the adoption of the following amendment recommended by the Committee on Appropriations:

Amend Section One (1) Number One (1), fifth item, of the substitute bill, by inserting after the word "fifth" the following: "except in the case of condimental stock food; patented, proprietary or trade-marked stock and poultry foods, claimed to possess medicinal or nutritive properties, or both."

Adopted.

Senator Elerick offered the following amendment as a substitute for the amendment recommended by the Committee on Appropriations to Section Two (2):

Amend Section Two (2) by adding the following: "except in case of condimental, patented, proprietary or trade-marked stock or poultry foods, every barrel, bag, pail, parcel or package shall bear a statement

in the manner and form prescribed in Section One (1) showing the names and percentages of all mineral ingredients and of ingredients used as a dilutant or base."

Senator Turner moved the previous question.

Carried.

On the adoption of the substitute amendment, a roll call was demanded.

On the question, "Shall the substitute amendment be adopted?"

The yeas were:

Senators Allen, Burgess, Eckles, Elerick, Foley, Kimmel, Kinne, Lambert, McKlveen, McManus, Newberry, Nichols, Peterson, Smith of Des Moines, Smith of Mitchell, Wade, Young—17.

The nays were:

Senators Bleakly, Bruce, DeWolf, Dowell, Frudden, Gilliland, Hopkins, Hughes, Jamieson of Page, Jones, Mattes, Maytag, Saunders, Seeley, Stirton, Taylor, Turner, Warren, Whiting, Wilson of Fayette, Wilson of Clinton—21.

Absent or not voting:

Senators Clark, Crossley, DeArmand, Dunham, Ericson, Gale, Jackson, Jamison of Clarke, Moon, Stookey, Stuckslager, Whipple—12.

So the amendment was lost.

Senator Mattes moved the adoption of the following amendment recommended by the Committee on Appropriations:

Amend Section Two (2) of the substitute bill by adding thereto the following:

"Except condimental stock food; patented, proprietary or trade-marked stock or poultry foods, claimed to possess medicinal or nutritive properties, or both; and these shall be labeled or branded so as not to deceive or mislead the purchaser in any way, and the contents of any such package shall not be substituted in whole or in part for any other contents.

"Any statement, design or device upon the label or package regarding the substances contained therein, shall be true and correct, and any claim made for the feeding, condimental, tonic or medicinal value shall not be false or misleading in any particular.

"The name and percentage of any deleterious or poisonous ingredient or ingredients shall be plainly stated upon the outside of the package or container."

On the adoption of the amendment, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Bleakly, Bruce, Clark, DeWolf, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jamieson of Page, McManus, Mattes, Maytag, Saunders, Seeley, Stirton, Taylor, Turner, Warren, Whiting, Wilson of Fayette, Wilson of Clinton—23.

The nays were:

Senators Allen, Burgess, Eckles, Elerick, Kimmel, Kinne, McKlveen, Newberry, Nichols, Peterson, Smith of Des Moines, Smith of Mitchell, Wade, Young—14.

Absent or not voting:

Senators Crossley, DeArmand, Dowell, Dunham, Gale, Jackson, Jamison of Clarke, Jones, Lambert, Moon, Stookey, Stuckslager, Whipple—13.

So the amendment was adopted.

Senator Elerick moved the adoption of the following amendment:

Add to Section Two (2), as amended, the following:

"The name and percentage of the dilutant or dilutents, or bases, shall be plainly stated on the outside of the package or container."

Senator Bruce raised the point of order that the amendment is exactly the same as the amendment offered by Senator Elerick as a substitute for the amendment recommended by the Committee on Appropriations, which was defeated by the Senate.

The President ruled that the point of order was not well taken.

On the adoption of the amendment, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Allen, Burgess, DeArmand, Eckles, Elerick, Frudden, Gilliland, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Wade, Whipple, Young—23.

The nays were:

Senators Bruce, Dowell, Ericson, Gale, Hopkins, Hughes, Jackson, Jamieson of Page, Mattes, Maytag, Saunders, Taylor, Turner, Warren, Whiting, Wilson of Fayette, Wilson of Clinton—17.

Absent or not voting:

Senators Bleakly, Clark, Crossley, DeWolf, Dunham, Foley, Jamison of Clarke, Moon, Nichols, Stuckslager—10.

So the amendment was adopted.

Senator Newberry moved the adoption of the following amendment recommended by the Committee on Appropriations:

Amend Section Five (5) of the substitute bill as follows: Strike out of Section Five (5) of the substitute as it appears in the Journal, after the semicolon in the sixth line thereof, the words: "except in the case of condimental stock or poultry foods, the fee paid shall be One Dollar (\$1.00) per ton," and insert in lieu thereof the following:

"Every manufacturer, importer, dealer or agent for any condimental, patented, proprietary or trade-marked stock or poultry foods, or both, shall pay to the State Food and Dairy Commissioner, on or before the fifteenth day of July of each year, a license fee of One Hundred Dollars (\$100.00). Whenever the manufacturer or importer of such foods shall have paid the fee herein required, no other person or agent of such manufacturer or importer shall be required to pay such license fee."

Adopted.

Senator Newberry moved the adoption of the following amendment recommended by the Committee on Appropriations:

Also strike out of Section Five (5) of the substitute bill, as it appears in the Journal, after the word "provided," the semicolon and the remainder of the section, and insert a period.

Adopted.

Senator Newberry moved the adoption of the following amendment recommended by the Committee on Appropriations:

Amend Section Five (5) of the substitute bill by adding: "provided, that any dealer who sells at one time to any other person one ton or more of concentrated commercial feeding-stuffs shall be held to have complied with the provisions of this section if he delivers to the purchaser the tax tags herein required, even though they may not be attached to the various packages."

Adopted.

Senator Newberry moved the adoption of the following amendment recommended by the Committee on Appropriations:

Amend Section Sixteen (16), line eleven, by striking out the figures "95" in the substitute bill, and inserting in lieu thereof the figures "94."

Adopted.

Senator Newberry moved the adoption of the following amendment recommended by the Committee on Appropriations:

Amend Section Eighteen (18) of the substitute bill by adding thereto the following: "provided, that no one shall be convicted for violation of the provisions of Section Ten (10) of this act if he is able to show that the weed seeds named in Section Ten (10) are present in quantities not more than one in ten thousand, and that due diligence has been used to find and remove said seeds."

Adopted.

Senator Newberry moved the adoption of the following amendment recommended by the Committee on Appropriations:

Amend Section Nineteen (19) of the substitute bill by striking out of the second and third lines thereof the words "a sum not exceeding the amount of fees collected under its provisions," and inserting in lieu thereof the words "a sum not exceeding Three Thousand Dollars (\$3,000.00) annually."

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bruce, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuekslager, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young

—43.

The nays were:

None.

Absent or not voting:

Senators Bleakly, Crossley, DeWolf, Gale, McManus, Taylor, Turner—7.

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 File No. 104.

The Senate resumed consideration of Senate File No. 212.

President Pro Tem. Smith was called to the chair at 11:45 o'clock.

Senator Saunders moved the adoption of the following amendment:

Amend line forty-eight, Section Fourteen (14), of the printed bill, by striking out the word "commission" in said line and inserting in lieu thereof the word "council," and also by striking the word "council" before the word "shall" in line fifty-two of said section and inserting in lieu thereof the word "commissioners."

Adopted.

Senator DeArmand moved the adoption of the following amendment:

Amend Section One (1) of the bill by striking out the figures "15,000" after the word "of" in line two of the bill, and insert in lieu thereof the words "Fifty Thousand."

Senator Jackson moved to amend the amendment by changing the words "fifty thousand" to "twenty-five thousand."

By consent the amendment to the amendment was withdrawn.

Senator Frudden moved to amend the amendment by changing the words "fifty thousand" to "forty thousand."

On the adoption of the amendment to the amendment a roll call was demanded.

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

The yeas were:

Senators Allen, Bruce, Burgess, Ericson, Foley, Frudden, Hopkins, Jones, Kimmel, Maytag, Nichols, Peterson, Saunders,

Stuckslager, Wade, Warren, Wilson of Fayette, Wilson of Clinton—18.

The nays were:

Senators Bleakly, Clark, DeArmand, DeWolf, Dunham, Eckles, Gilliland, Hughes, Jackson, Lambert, McKlveen, McManus, Mattes, Moon, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Turner, Whipple, Whiting, Young—22.

Absent or not voting:

Senators Crossley, Dowell, Elerick, Gale, Jamieson of Page, Jamison of Clarke, Kinne, Newberry, Seeley, Taylor—10.

So the amendment to the amendment was lost.

Senator Saunders moved to amend the amendment by changing the words fifty thousand to twenty-five thousand.

By consent the amendment to the amendment was withdrawn.

Senator Jackson moved as a substitute to strike out all of Section One (1) and enact in lieu thereof the following:

Move to amend by striking out all of Section One (1) of the bill and substituting therefor the following:

SECTION 1. That any city of the first class, or with special charter, having a population of Twenty-five Thousand (25,000) or over, as shown by the State census of 1905, may become organized as a city under the provisions of this act by proceeding as hereinafter provided.

On the adoption of the substitute amendment offered by Senator Jackson a roll call was demanded.

On the question, "Shall the substitute as an amendment to the amendment be adopted?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeWolf, Dowell, Dunham, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Kimmel, Mattes, Maytag, Moon, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Young—38.

The nays were:

Senators DeArmand, Jones, Lambert, McKlveen, McManus, Wilson of Clinton—6.

Absent or not voting :

Senators Crossley, Eckles, Jamieson of Page, Jamison of Clarke, Kinne, Newberry—6.

So the substitute amendment to the amendment was adopted.

Senator Lambert moved that the time for adjournment be extended until the amendment under consideration be disposed of and that the Senate have an afternoon session.

Carried.

The amendment as amended was adopted.

Senator DeArmand moved the adoption of the following amendment :

Amend Section Two (2), line one, by striking out the words and figures "ten per cent (10 per cent)" and insert in lieu thereof the words and figures "twenty-five per cent (25 per cent)."

Adopted.

Senator DeWolf moved the adoption of the following amendment :

Amend Section Two (2) of the bill by striking out the word "ten" after the word "to" in line seven of said section and inserting in lieu thereof the words "twenty-five."

Adopted.

Senator DeWolf moved the adoption of the following amendment :

I move to strike out of Section Ten (10) of the printed bill the words: "In cities having from 15,000 to 25,000 population by the last preceding State or National census, the salary of the mayor shall be \$2,000 and each councilman \$1,500.

Adopted.

Further consideration of the bill was deferred until the afternoon session.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 104, a bill for an act to provide for the preparation of new jury lists where, for any cause, a lawfully constituted grand jury cannot be obtained, or lawfully qualified talesmen cannot be selected under the law from those persons who are returned by the election officers to serve as jurors.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

Senator Turner moved that the Senate do now adjourn.

Carried.

Senate adjourned until 1:30 o'clock P.M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P.M., President Garst presiding.

Senator Smith of Mitchell offered the following resolution, which was laid over under the rules:

Resolved, That the President of the Senate shall, at his discretion as to time, appoint a sifting committee, to consist of seven members, to which shall be referred all bills, except appropriation bills, and that thereafter no bills, except appropriation bills, shall be considered unless reported by said committee.

PETITIONS AND MEMORIALS.

Senator DeArmand presented petition of citizens of Davenport protesting against the passage of House File No. 396, known as the bucketshop bill.

Referred to Committee on Appropriations.

Senator Turner presented petition of citizens of Clearfield, Iowa, asking that the voters of the state be given an opportunity to decide at the polls the question of the enfranchisement of women.

Referred to Committee on Constitutional Amendments and Suffrage.

INTRODUCTION OF BILLS.

By Senator Maytag, Senate File No. 333, a bill for an act to amend Chapter Eighty (80) of the acts of the Thirtieth General

Assembly, relating to state hospitals for inebriates and to furnish additional provision in regard to commitments to and release from hospitals.

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

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 212.

Senate McManus moved the adoption of the following amendment:

That the words "or with special charter" in the first line in Section One (1) be stricken out.

On the adoption of the amendment, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators DeArmand, Eckles, Jamieson of Page, McManus, Nichols—5.

The nays were:

Senators Allen, Bleakly, Burgess, Clark, Dowell, Frudden, Gilliland, Hopkins, Hughes, Kimmel, Mattes, Maytag, Peterson, Saunders, Smith of Mitchell, Stuckslager, Turner, Warren, Whipple, Whiting, Young—21.

Absent or not voting:

Senators Bruce, Crossley, DeWolf, Dunham, Elerick, Ericson, Foley, Gale, Jackson, Jamison of Clarke, Jones, Kinne, Lambert, McKlveen, Moon, Newberry, Seeley, Smith of Des Moines, Stirton, Stookey, Taylor, Wade, Wilson of Fayette, Wilson of Clinton—24.

So the amendment was lost.

Senator DeWolf moved the adoption of the following amendment:

I move to amend Section One (1) of the bill as amended by inserting after the word "charter" and before the word "having" the following: "now or hereafter."

Also to insert after the word "the" and before the word "State" the following: "last preceding."

Also to strike out the words "of 1905" after the word "census" and before the word "May."

Adopted.

Senator Saunders moved the adoption of the following amendment:

Amend the bill by adding thereto the following as Section Twenty two (22):

SEC. 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 Capital, newspapers published in Des Moines, Iowa.

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeArmand, Jamison of Clarke, Jones, McKlveen, Moon, Nichols—7.

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

EXPLANATION OF VOTE.

MR. PRESIDENT—I vote "aye" on Senate File No. 212 for the reason that many citizens of Des Moines desire an opportunity to vote upon its adoption or rejection at a special election called for that purpose. The reservation that I entertain in reference to this measure is the fear

that it contains in its provisions the temptation to place the government farther from the people, which should not be attained under our form of government. But since my vote does not establish such a system without the consent of the people so governed, I vote for the measure, relying upon the wisdom and intelligence of the people to reject or adopt the provisions hereof as they may finally determine.

J. L. WARREN.

By unanimous consent, on motion of Senator Peterson, Senate File No. 38, a bill for an act prohibiting any corporation doing business within the State, or any officer, agent or representative thereof acting for such corporation from giving or contributing any money, property, labor or thing of value, to any member of any political committee, party or employe thereof to any candidate for any office, for campaign expenses or political purposes whatsoever, and prohibiting any member of political committee, party or employe from receiving any contribution from any corporation for campaign expenses and providing a penalty therefor, was taken up and considered.

On the motion filed by Senator Allen to reconsider the vote by which the Senate refused to concur in the House amendments to Senate File No. 38, a roll call was demanded.

On the question, "Shall the vote be reconsidered?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stueckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

None.

Absent or not voting:

Senators Bruce, Crossley, DeArmand, Dowell, Jackson, Jamieson of Clarke, McKlveen, Smith of Des Moines, Stookey, Taylor—10.

So the motion to reconsider prevailed.

Senator Peterson moved that the Senate concur in the following House amendments :

The House Judiciary Committee report that the same be amended by striking out the period at the end of Section One (1) and inserting in lieu thereof a comma, and adding thereto the following: "but nothing in this act shall be construed to restrain or abridge the liberty of the press or prohibit the consideration and discussion therein of candidacies, nominations, public officers or political questions."

On the question, "Shall the Senate concur in the House amendments?"

The yeas were :

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were :

None.

Absent or not voting :

Senators Crossley, DeArmand, Jackson, Jamison of Clarke, McKlveen, McManus, Stookey, Taylor—8.

So the amendments were concurred in.

By unanimous consent, on motion of Senator Smith of Mitchell, Senate File No. 5, a bill for an act defining wife desertion and failure to support wife or family, providing punishment therefor and permitting a husband or wife to be a witness in such cases, was taken up and considered.

Senator Smith of Mitchell moved that the Senate concur in the following House amendments :

Amend Senate File No. 5 by striking out the word "illegitimate" in the fourth line of Section One (1) of the original bill.

Amend Senate File No. 5 by striking out all of Section Five (5) thereof.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were:

None.

Absent or not voting:

Senators Crossley, Hopkins, McKlveen, Jamieson of Page, Jamison of Clarke, Turner, Stuckslager—7.

So the amendments were concurred in.

By unanimous consent, on motion of Senator Stookey, Senate File No. 290, a bill for an act to amend Sub-division Sixteen (16) of Section Six Hundred and Sixty-eight (668) of the Code, in relation to the duties of city council, and amending said Sub-section Sixteen (16) and making the same apply to cities of the second class, was taken up and considered.

Senator Stookey moved that the Senate concur in the following House amendments:

Amend by striking out the word "subsection" in line one of Section One (1) and inserting the word "subdivision" in lieu thereof; by striking out the word "subsection" in line three of Section One (1) and inserting the word "subdivision" in lieu thereof; by striking out all of Section One (1) from and including the word "and" in the third line thereof.

Amend the title by striking out the word "subsection" in line three and inserting in lieu thereof the word "subdivision."

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith

of Mitchell, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Crossley, Hopkins, Jamison of Clarke, McKlveen, Stuckslager, Turner—6.

So the amendments were concurred in.

By unanimous consent, on motion of Senator Saunders, Senate File No. 30, 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 on Judiciary recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Saunders moved the adoption of the report of the Committee on Appropriations.

Adopted.

President Pro Tem. Smith was called to the chair at 2:55 o'clock.

Senator Saunders moved the adoption of the following committee amendment:

Amend by inserting the following as Section Four and One-half (4½):

SEC. 4½. If it shall appear at any time after conviction and incarceration in the reformatory, that a prisoner was over thirty years of age at the time of commitment, he shall be at once transferred to the prison at Fort Madison, and he shall likewise be transferred if it shall appear that he had, prior to the last conviction, been convicted of a felony in Iowa or elsewhere.

Adopted.

Senator Saunders moved the adoption of the following committee amendment:

Amend Section Six (6) of said bill by inserting after the word

"reformatory," and before the comma in the second line thereof, the words "and the prison at Fort Madison is overcrowded."

Adopted.

Senator Saunders moved the adoption of the following committee amendment:

Amend Section Fourteen (14) of said bill by striking out of line twenty-three thereof the words "with some suitable employer," and insert in line twenty-two after the word "employment" the words "or maintenance."

Adopted.

Senator Saunders moved the adoption of the following committee amendment:

Amend said bill by adding after Section Fourteen (14) the following as Section Fourteen and One-half (14½):

SEC. 14½. The Board of Parole may institute any inquiry it may deem expedient in regard to any prisoner or application for pardon, final discharge or parole; but said board shall not receive, unsolicited by them, any petition or communication or argument in regard to said application, unless provided for in their adopted rules.

Adopted.

Senator Saunders moved the adoption of the following committee amendment:

Amend Section Fifteen (15) of said bill by adding thereto after the period, the following: "All papers and documents relating to the pardon of any person shall, upon the granting of such pardon, become a part of the files of the Governor's office."

Adopted.

Senator Saunders moved the adoption of the following committee amendment:

Amend Section Sixteen (16) of said bill by striking out the words "the laws and" after the word "under" in the second line of said section; also by inserting before the word "constitution" in the same line the word "the." Also, that before the word "pardon" in the third line of said section there be inserted the word "reprieve," and that the word "pardon" be made to read "pardons," and that the words "commutation" in the same line be made to read "commutations."

Adopted.

Senator Saunders moved the adoption of the following amendment:

Amend Section Two (2) of the printed bill by inserting after the word "or" in the fourth line the words "rape, sodomy, incest, robbery, breaking and entering a dwelling house in the nighttime with intent to commit therein a public offence, or."

Adopted.

Senator Saunders moved the adoption of the following amendment:

Amend Section Five (5) by striking out the period at the end of the section and adding to said section the following: "provided, that prisoners committed for life who are now beyond fifty-five years of age shall not be removed."

Adopted.

Senator DeArmand moved the adoption of the following amendment:

Amend Section Fifteen (15) by striking from line three the word "six" and in lieu thereof substituting the word "twelve."

The President resumed the chair at 3:35 o'clock.

Further consideration of the bill was postponed.

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

HOUSE MESSAGES CONSIDERED.

House File No. 358, a bill for an act to amend Section Two Thousand Seven Hundred and Seventy-one (2771) of the Supplement to the Code, relative to the filling of vacancies on the school board.

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

House File No. 427, a bill for an act to amend Section Two Thousand Seven Hundred and Seventy-seven (2777) of the Code, relative to requirements of kindergarten teachers.

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

House File No. 398, a bill for an act to prohibit the service of certain male animals for breeding purposes within six hundred

feet of a public school building during terms of schools, and providing penalties for a violation of this act.

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

House File No. 75, a bill for an act making appropriations for swine barns with show rings, a steel constructed amphitheater and additional land at the Iowa State Fair and Exposition grounds.

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

House File No. 305, a bill for an act to transfer the duties, powers and authority granted to or enjoined upon the Auditor of State under the provisions of Chapter Thirty-four (34), acts of the Thirty-first General Assembly, relating to publication of municipal accounts, establishing uniform system of accounts, reports and audits in cities and towns, from the Auditor of State to the Secretary of State.

Read first and second time and referred to Committee on Retrenchment and Reform.

House File No. 303, a bill for an act to repeal Section Three Hundred and Seventy-three (373), Three Hundred and Seventy-four (374), Three Hundred and Seventy-five (375) and Three Hundred and Seventy-six (376) of the Code, in relation to notaries public, and enact substitute therefor; also to amend Section Sixty-eight (68) of the Code, in relation to the registration of commissions.

Read first and second time and referred to Committee on Retrenchment and Reform.

House File No. 304, a bill for an act to transfer from the Auditor of State to the Treasurer of State all of the powers, duties and responsibilities relating to state and savings banks and loan and trust companies.

Read first and second time and referred to Committee on Retrenchment and Reform.

House File No. 313, a bill for an act to repeal the law as it appears in Chapter One Hundred and 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 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.

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

House File No. 88, a bill for an act to amend Section Four Thousand One and Twenty (4120) of the Code, relative to the time for filing abstract in the Supreme Court.

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

House File No. 91, a bill for an act relative to the appointment of non-residents of the State as executors.

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

House File No. 429, a bill for an act for the relief of the grantees of James Seby Parsons, for the purpose of having a patent issued in the name of Cornelis De Geest for a certain tract of land.

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

House File No. 376, a bill for an act giving certain powers to the board of supervisors in relation to the alteration or straightening of highways, and to prevent the encroachment of streams thereon, and to condemn lands necessary for said purposes.

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

House File No. 408, a bill for an act to amend Section Three Hundred and Ten (310) of the Supplement to the Code, relating to qualification for admission to the bar.

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

Senator Gilliland moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A.M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, MARCH 22, A. D. 1907.

Senate met in regular session at 9 o'clock A.M., President Garst presiding.

Prayer was offered by the Rev. C. E. Tingley of Boone, Iowa.

On request of Senator Jones, leave of absence was granted Senator Nichols until tomorrow.

PETITIONS AND MEMORIALS.

Senator Dunham presented petition of citizens of Delaware county believing that the voters of Iowa should decide the question of enfranchisement of women.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Dunham presented petition signed by three hundred eighty-eight citizens from various districts of the State favoring a constitutional amendment prohibiting within the state the manufacture and sale of alcoholic liquors for beverage purposes.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Nichols presented petition of citizens of Muscatine, Iowa, favoring the bill giving pensions to disabled and retired firemen and the widows and minor children and dependent fathers and mothers of deceased firemen.

Referred to Committee on Cities and Towns.

Senator Smith of Des Moines presented petition of Burlington Lodge No. 26, Brotherhood of Railroad Trainmen, opposing the bill

relating to the exemption from liability for debt for personal earnings.

Referred to Committee on Judiciary.

Senator Taylor presented resolution passed by the members of the Iowa State Quarrymen's Association, favoring a Reciprocal Demurrage Bill.

Referred to Committee on Railroads.

Senator Foley presented two telegrams from citizens of Charles City, Iowa, opposing the Reciprocal Demurrage Bill.

Referred to Committee on Railroads.

Senator McKlveen presented petition of citizens of Chariton, Iowa, favoring the Stallion Lien Bill.

Referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Maytag, Senate File No. 334, a bill for an act appropriating the sum of \$151.90 to be paid to W. J. McAhren in settlement of a claim against the State of Iowa, arising by reason of the efforts of the said W. J. McAhren to extradite one H. S. Green.

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

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 282, a bill for an act to repeal Sections Twenty-one Hundred and Fifty-three (2153) and Twenty-one Hundred and Fifty-five (2155) of the Code, relating to joint freight rates over two or more connecting lines of railway between points within this State, and relating to the powers and duties of the Board of Railroad Commissioners, and to enact substitutes therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 237, a bill for an act providing for scales and weighing of commodities transported in carload lots, and furnishing certificates of weight by common carriers, and providing penalties for the violation of this act, in addition to Chapter Seven (7), Title Ten (10) of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill herewith presented be substituted therefor:

SUBSTITUTE FOR SENATE FILE NO. 237.

A BILL for an act providing for scales and weighing of commodities transported in carload lots, and furnishing certificates of weight by common carriers, and providing penalties for the violation of this act, in addition to Chapter Seven (7), Title Ten (10) of the Code.

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

SECTION 1. That Chapter Seven (7), Title Ten (10) of the Code be, and the same is hereby amended, by adding thereto the following:

SEC. 2. That every person, firm or corporation engaged in operating any railroad within the State of Iowa shall equip the line of its track, and thereafter maintain thereon in good order, track scales of sufficient capacity to weigh all carloads of coal that may be transported over the said railroad, and shall weigh the same at the request of any owner, consignor or consignee of such commodities, and furnish written certificates of such weights to such owner, consignor or consignee as hereinafter provided. Such track scales shall be so installed and maintained at all division stations along the line of such railroads within the State of Iowa, and at such other stations as the Board of Railroad Commissioners shall from time to time direct.

SEC. 3. That every person, firm or corporation engaged in operating any railroad within the State of Iowa, over which coal, in carload lots shall be transported for hire, shall weigh such coal at point where such shipment originates, unless covered by weight agreement between consignor and the railway company; provided, such point is equipped with track scales. If not so equipped, it shall be weighed at first practicable point en route where track scales are provided. Said person, firm or corporation shall furnish to said shipper a bill of lading showing date and place weighed, also the gross, tare and net weight for each carload of coal so weighed. The tare weight will be determined by using actual weight of empty car at loading station, provided track scales are maintained at such point.

SEC. 4. Such coal shall be weighed at destination upon request of consignee when there are track scales at such point. If not equipped with track scales at such point, then at nearest practicable point en route where such scales are maintained, and certificate of weight showing actual gross, tare and net weights, shall be furnished to consignee and settlement of freight charges based on these weights. A reasonable charge

of not more than \$1.00 per car may be made for such weighing on request.

SEC. 5. Cars when weighed on track scales shall be uncoupled, clear and unhampered at both ends, carefully weighed by competent weighmen, and certificates issued upon request of consignees, showing gross, tare and net weights.

SEC. 6. Certificates mentioned in this act shall be prima facie evidence of the facts therein recited in any action arising between consignors and consignees and common carriers.

SEC. 7. Any common carrier operating in this State violating any of the provisions of this act by neglecting or refusing to weigh cars or to furnish certificates of weights as herein provided shall be guilty of a misdemeanor and shall be, upon conviction thereof, fined in the sum of not more than One Hundred Dollars (\$100.00) for each and every such violation.

And when so amended the bill do pass.

F. M. HOPKINS,
Chairman.

Substitute read first and second time and passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 65, a bill for an act to safeguard the traveling public and employes upon railroads by limiting the hours of service of employes thereon, providing for the filing of complaints, the investigation thereof, and the securing of evidence thereto, additional to Chapter Five (5), Title Ten (10) of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill herewith presented be substituted therefor:

SUBSTITUTE FOR HOUSE FILE NO. 65.

A BILL for an act to safeguard the traveling public and employes upon railroads by limiting the hours of service of employes thereon, additional to Chapter Five (5), Title Ten (10) of the Code.

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

SECTION 1. It shall be unlawful for any railway company within the State of Iowa, or any of its officers or agents, to require or permit any employe engaged in or connected with the movement of any rolling stock, engine or train, to remain on duty more than sixteen (16) consecutive hours, or to require or permit any such employe who has been on duty sixteen (16) consecutive hours to perform any further service without having had at least ten hours for rest, or to require or permit any such employe to be on duty at any time to exceed sixteen (16) hours in any consecutive twenty-four (24) hours; provided, however, that this section shall not apply to work performed in the protection of life or property in cases of accident, wreck, or other unavoidable casualty, or prevent train crews from taking a passenger train, or freight train loaded

exclusively with live stock or perishable freight, to the next nearest division point upon such railroad; and, provided further, that it shall not apply to that time necessary for the trainmen to reach a resting place when an accident, wreck, washout, snow blockade or other unavoidable cause has delayed their train; and, provided further, that this section shall not apply to employes of sleeping car companies.

SEC. 2. Any superintendent, train master, train dispatcher, yard master or other official of any railroad in the State of Iowa, violating any of the provisions of this act, shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) for each offense.

It shall be the duty of the Board of Railroad Commissioners to receive written statements of violation of this act, and when so requested, to hold the same without disclosure of the name of the person making such statement, and to investigate each and every complaint filed, alleging such violation. The board, in making such investigation, shall have the power to administer oaths, interrogate witnesses, take testimony, and require the production of books and papers, and must file a report of such investigation in writing, with a full statement of its finding, to the Governor.

In all cases of violation of this act, the Board of Railroad Commissioners, through the Attorney-General, must at once begin the prosecution of all parties against whom evidence of violation is found; but this act shall not be construed to prevent any other person from beginning prosecution for violation thereof.

And when so amended the bill do pass.

F. M. HOPKINS,
Chairman.

Substitute read first and second time and passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 270, a bill for an act repealing Sections Twenty-one Hundred and Sixty-five (2165) and Twenty-one Hundred and Sixty-six (2166) of the Code, and enacting a substitute therefor, pertaining to express 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.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 63, a bill for an act to repeal Section Twenty Hundred and Fifty-seven (2057) of the Code, relating to fences required to be

constructed by railroad companies, 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 amended as follows:

Strike out of line ten of Section One (1) the words "and private" between the words "public" and "road."

And when so amended the bill do pass.

F. M. HOPKINS.

Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 67, a bill for an act to amend Section One Thousand Six Hundred and Seventy-five (1675) of the Supplement to the Code, relative to State aid for farmers' institutes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. L. MAYTAG,

Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 251, a bill for an act to acquire for the State, either by purchase or condemnation, any lot or lots in blocks 3, 4 and 6, H. Lyon's addition, and blocks 5, 6 and 7, Scott's addition, all now forming a part of the city of Des Moines, Polk county, Iowa, and to make an appropriation therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. L. MAYTAG,

Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 15, a bill for an act to establish an insurance department, and providing for an insurance 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 recom-

mendation that the same be amended by striking out in Section Three (3), lines thirty-six and thirty-seven, the words and figures Three Thousand Five Hundred (\$3,500.00) Dollars" and inserting in lieu thereof the words and figures "Three Thousand (\$3,000.00) Dollars," and when so amended the bill be reported out without recommendation.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred substitute amendment for House File No. 75, a bill for an act making an appropriation for a swine barn with show ring, upon 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 do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 278, a bill for an act authorizing towns and cities, including cities under special charter, to appropriate money to pay dues in the League of Iowa Municipalities, and to pay the actual expense of delegates to the meetings of such league, additional to Chapter Three (3), Title V (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 referred to the Committee on Cities and Towns.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was referred to Committee on Cities and Towns.

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. 297, a bill for an act relating to treating in the use 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.

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 House File No. 269, a bill for an act to amend Section Twenty-four Hundred and Fifty-two (2452) of the Code, relating to the publication of notice of the securing of petitions of general consent, beg leave to report that they have 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 Bleakly, 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. 47, a bill for an act to amend Chapter Eighty-eight (88), laws of the Thirtieth General Assembly, relating to compensation of Deputy and Assistant Dairy Commissioners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend Section One (1) by striking out the word "fifteen" in the fourth line and substituting the word "fourteen" in lieu thereof, and by striking out the word "twelve" in the fifth line and substituting the word "fourteen" in lieu thereof.

Amend Section Two (2) by striking out the word "Daily" in the third line thereof.

And when so amended the bill do pass.

JOHN L. BLEAKLY,
Chairman.

Ordered passed on file.

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 House File No. 389, a bill for an act amendatory of and additional to Chapter Fifteen (15) of the Code and Supplement to the Code, relative to the care and propagation of fish, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend by adding to Section Two (2) of the bill the following: "Provided, that no seine or net with less than a two and one-fourth inch mesh shall be licensed or used for fishing, under this act, after April 1st, 1908.

And when so amended the bill do pass.

W. C. KIMMEL,
Chairman.

Ordered passed on file.

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 House File No. 426, a bill for an act to encourage the propagation of Mongolian Ring Neck, English and Chinese pheasants, and to prohibit the killing 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.

W. C. KIMMEL,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Wade, House File No. 73, a bill for an act to amend the law as the same appears in Section Thirteen Hundred Four-a (1304-a) of the Supplement to the Code, relating to the exemption of property from taxation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wade 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:

Senators Allen, Bleakly, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators Bruce, Crossley, Jamieson of Page, McManus, Smith of Mitchell, Whipple, Whiting, Wilson of Fayette—8.

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

Senator Kimmel asked unanimous consent that Senate File No. 295 be re-referred to the Committee on Fish and Game.

Consent granted.

Senator Gilliland moved that Senate File No. 306, a bill for an act to amend Section Thirteen Hundred Four (1304) of the Code, relating to exemption from taxation, be indefinitely postponed for the reason that the subject matter has been disposed of in another bill.

Carried.

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 indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate File No. 259, a bill for an act legalizing the ordinances, acts, proceedings and resolutions passed by the town council of Pocahontas, Pocahontas county, Iowa, and legalizing all the acts, proceedings and resolutions adopted or passed by the said town council in connection with the voting and granting of a franchise to the Havelock Mutual Telephone Company, as set forth in Ordinance No. 41, of said town.

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. 25, a bill for an act to repeal Section Three (3) of Chapter One Hundred and One (101) of the laws of the Thirtieth General Assembly and of Chapter One Hundred and Thirteen (113) of the laws of the Thirty-first General Assembly, relative to establishing and maintaining a State Board of Health Laboratory at Iowa City, and enacting in lieu thereof the following:

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. 11, a bill for an act to repeal Section Twenty-one Hundred and Thirteen (2113) of the Code, relating to the powers and duties of the Board of Railroad Commissioners, 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 amended and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 276, a bill for an act to amend the law as it appears in Section One Hundred and Thirty-six (136) of the Supplement to the Code, fixing the manner of distribution of the report of the Academy of Sciences.

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. 181, a bill for an act to amend Section Six (6) and Chapter Eleven (11) of the laws of the Thirtieth General Assembly, entitled an act enlarging the powers of the District Court and to regulate the treatment and control of dependent, neglected and delinquent children, additional to Chapter Five (5) of Title One Hundred and Eleven (111) of the Code, relating to the District 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. 261, a bill for an act to amend Senate File No. 22, as passed by the Thirty-second General Assembly, February 8th, 1907, and approved February 14th, 1907, providing for the investment of funds of fraternal beneficiary societies, orders 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 House was asked:

Senate File No. 245, a bill for an act directing the Custodian of Public Buildings and Property to prepare a case for the reception of flags carried by Iowa regiments during the Spanish-American war, and making appropriations 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. 249, a bill for an act to amend Section Nine Hundred and Fifty-five (955) of the Code, relating to the establishment, erection, purchase, lease, maintenance, or operation of certain public utilities, and the granting of franchises for the same so as to include heating 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 House was asked:

Senate File No. 10, a bill for an act to amend the law as it appears in Section Thirteen Hundred and Thirty-three-d (1333-d), Supplement to the Code, relating to State tax on gross receipts of insurance corporations 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 House was asked:

Senate File No. 171, a bill for an act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of any corporation, or joint stock association, which said statements or publications are intended to give or shall have a tendency to give a less or greater apparent value to the shares, bonds or property, or to any part thereof, of said corporation or joint stock association than the said shares, bonds or property shall really and in fact possess, 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 passed the following bill, in which the concurrence of the Senate is asked:

House File No. 287, a bill for an act to amend the law as it appears in Section Sixteen Hundred and Ten (1610) of the Supplement to the Code, in relation to corporations for pecuniary profit.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate resumed consideration of Senate File No. 30, 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.

Senator Hopkins moved the previous question.

Carried.

President Pro Tem. Smith was called to the chair at 9:45 o'clock.

The bill was read for information.

Senator Gale moved that the time for consideration of the special order be extended until the bill under consideration be disposed of.

Carried.

Senator Saunders moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

Senators Bruce, Jones—2.

Absent or not voting:

Senators Crossley, Jamieson of Page, McManus—3.

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

Senator Jamison of Clarke asked unanimous consent to have Senate File No. 15 made a special order for next Tuesday at 9:30 o'clock A.M.

Consent granted.

The time having arrived for the special order, Senate Joint Resolution No. 3, proposing amendments to the Constitution of Iowa relating to suffrage and to provide for its reference and publication, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The joint resolution was read for information.

Senator Turner moved the previous question.

Carried.

Senator Gale asked unanimous consent to assign his time for closing the debate to Senator Jamieson of Page.

Consent granted.

Senator Whiting moved that the time for the closing remarks on the joint resolution by Senator Jamieson of Page, be extended five minutes.

Carried.

Senator Ericson moved that the time for adjournment be extended until the joint resolution be disposed of.

Carried.

Senator Gale moved that the rule be suspended, the joint resolution 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 Allen, Bleakley, Dowell, Dunham, Eckles, Ericson, Gale, Hopkins, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Kinne, McKlveen, Seeley, Smith of Mitchell, Stirton, Stookey, Warren, Wilson of Fayette, Young—21.

The nays were :

Senators Bruce, Burgess, Clark, DeArmand, DeWolf, Foley, Fruden, Gilliland, Hughes, Jones, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Smith of Des Moines, Stuckslager, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Clinton—26.

Absent or not voting :

Senators Crosley, Elerick, Nichols—3.

So the joint resolution having failed to receive a constitutional majority was declared lost.

Senator Jackson moved that the Senate have an afternoon session.

Carried.

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

Senator Maytag asked unanimous consent that House File No. 101 be re-referred to the Committee on Appropriations.

Consent granted.

Senator Eckles moved that the Senate do now adjourn.

Carried.

Senate adjourned until 1:30 o'clock P.M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P.M., President Garst presiding.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Newberry, Senate File No. 31, a bill for an act to prevent the adulteration, misbranding and imitation of drugs; and repealing Sections Four Thousand Nine Hundred and Eighty-three (4983), Four Thousand Nine Hundred and Eighty-five (4985), Four Thousand Nine Hundred and Eighty-six (4986) and Four Thousand Nine Hundred and Eighty-eight (4988) of the Code; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner, with report of committee recommending passage as amended by sub-

stitute, was taken up, considered, and the report of the committee adopted.

Senator Newberry moved that the substitute be substituted for the original bill.

Carried.

Senator Lambert moved the adoption of the following amendment:

Amend the title by striking out the last five words, "State Food and Dairy Commissioner" and inserting in lieu thereof the words "Pharmacy Commissioners."

Adopted.

Senator Lambert moved the adoption of the following amendment:

Amend Section Six (6) by striking out the first two words, "the commissioner" and inserting in lieu thereof the words: "The Pharmacy Commissioners."

Adopted.

Senator Lambert moved the adoption of the following amendment:

Amend Section Seven (7) by striking out the entire section and inserting in lieu thereof the following:

SEC. 7. It is hereby made the duty of the Pharmacy Commissioners to enforce the provisions of this act.

Adopted.

Senator Lambert moved the adoption of the following amendment:

Amend Section Eight (8) by striking out of the fourth line thereof the following: "State Food and Dairy Commissioner, or any of his assistants," and inserting in lieu thereof the following: "Pharmacy Commissioners."

Adopted.

Senator Lambert moved the adoption of the following amendment:

Strike out from the third and fourth lines of Section Nine (9) of the substitute as printed in the Journal the words "January first, 1908," and insert in lieu thereof the words "April first, Nineteen Hundred and Nine (1909)."

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Crossley, Dunham, Gale, Jamieson of Page, Jackson, Nichols, Saunders, Taylor, Warren—9.

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

Senator Jamison of Clarke offered the following resolution and moved its adoption:

Resolved, That when the Senate adjourn on the 23rd of March that it be to 9 o'clock A.M. on March 26th.

The resolution was lost.

INTRODUCTION OF BILLS.

By Senator DeArmand, Senate File No. 335, a bill for an act to prohibit the sale, delivery and shipment of articles of food in unsanitary packages or coverings.

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

By Senator Whipple, Senate File No. 336, a bill for an act amendatory to and additional to the law as it appears in Section Three (3), Chapter One Hundred and Sixteen (116) of the laws of the Thirty-first General Assembly of Iowa, relative to the prac-

tice of dentistry and extending the time within which to file licenses issued prior to January 1, 1907, under certain conditions.

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

By Senator Moon, Senate File No. 337, a bill for an act to legalize the action of the independent school district of Star No. 6, of Center township, Wapello county, Iowa, and of the independent school district of Ottumwa, Iowa, consolidating the former with and merging it in the latter.

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

By Senator Gilliland, Senate File No. 338, a bill for an act for the regulation and taxation of persons who shall maintain an office or place of business where intoxicating liquors are held in store and the purchase price thereof collected for the owner from the person to whom they have been conditionally sold.

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

THIRD READING OF BILLS.

The time having arrived for the special order, Senate File No. 244, a bill for an act authorizing persons, firms or corporations engaged in the business of storing goods for profit, to issue warehouse receipts on the goods so stored, to regulate the issuance, negotiation and transfer of such receipts and to provide punishment for violation of said regulations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stookey moved the adoption of the following amendment:

Amend Section Eleven (11) of said bill by inserting in the first line thereof the words "thirty-six" before the figures "36."

Adopted.

Senator Stookey moved the adoption of the following amendment:

Amend Section Twelve (12) of said bill by inserting the words "thirty-six" before the figures "36" in the first line thereof.

Adopted.

Senator Stookey moved the adoption of the following amendment:

Amend Section Nineteen (19) of said bill by inserting before the figure "9" in line two thereof the word "nine."

Also insert before the figures "36" in the second line thereof the words "thirty-six."

Adopted.

Senator Stookey moved the adoption of the following amendment:

Amend Section Eighteen (18) of said bill by striking out the word "whether" in the fifth line thereof and inserting in lieu thereof the word "either."

Adopted.

Senator Stookey moved the adoption of the following amendment:

Amend Section Twenty-five (25) of said bill by inserting the word "be" before the word "attached" in line five thereof.

Adopted.

Senator Stookey moved the adoption of the following amendment:

Amend Section Twenty-seven (27) of said bill by inserting the word "thirty" before the figures "50" in line one thereof.

Adopted.

Senator Stookey moved the adoption of the following amendment:

The spelling in Section Twenty-seven (27) of said bill of the word "coppering" should be "coopering."

Adopted.

Senator Stookey moved the adoption of the following amendment:

Amend Section Twenty-eight (28) of said bill by inserting the word "thirty" before the figures "30" in line one of said section.

Adopted.

Senator Stookey moved the adoption of the following amendment:

Amend Section Thirty (30) of said bill by inserting before the figures "27" the words "twenty-seven."

Adopted.

Senator Stookey moved the adoption of the following amendment:

I move to amend the bill by inserting in said bill the following as Section Thirty-five (35):

SEC. 35. The remedy for enforcing a lien herein provided does not preclude any other remedies allowed by law for the enforcement of a lien against personal property nor bar the right to recover so much of the warehouseman's claim as shall not be paid by the proceeds of the sale of the property.

Adopted.

Senator Stookey moved the adoption of the following amendment:

I move to amend line two, Section Forty-three (43), by inserting before the word "is" the word "transferer."

Adopted.

Senator Stookey moved the adoption of the following amendment:

I move to amend line five of Section Fifty (50) by striking out the word "crime" in line five and insert in lieu thereof the word "felony." Also to amend said section by adding after the word "imprisonment" in the sixth line the words "in the penitentiary."

Adopted.

Senator Stookey moved the adoption of the following amendment:

I move to amend Section Fifty-one (51) by striking out the word "crime" in the fourth line and inserting in lieu thereof the word "misdemeanor." Also by inserting in the fifth line after the word "imprisonment" the words "in the county jail."

Adopted.

Senator Stookey moved the adoption of the following amendment:

I move to amend Section Fifty-two (52) by inserting in the seventh line before the figures "14" the word "fourteen."

Also amend the eighth line by striking out the word "crime" and inserting in lieu thereof the word "felony."

Also amend line eight by inserting after the word "upon" the words "conviction shall be punished for each offense by imprisonment in the penitentiary."

Adopted.

Senator Stookey moved the adoption of the following amendment:

I move to amend line six of Section Fifty-three (53) by striking out the word "crime" and in lieu thereof insert the word "misdemeanor."

Also amend line eight by inserting after the word "imprisonment" the words "in the county jail."

Adopted.

Senator Stookey moved the adoption of the following amendment:

I move to amend by striking out Section Fifty-four (54) of the bill and inserting in lieu thereof as Section Fifty-four (54) the following:

SEC. 54. A warehouseman, or any officer, agent or servant of a warehouseman who delivers goods out of the possession of such warehouseman knowing that a negotiable receipt, the negotiating of which would transfer the right to the possession of such goods is outstanding and uncanceled without obtaining the possession of said receipt at or before the time of such delivery, shall, except in the cases provided for in Sections Fourteen (14) and Thirty-six (36), be found guilty of a misdemeanor and, on conviction, shall be punished for each offense by imprisonment in the county jail not exceeding one year, or by a fine not exceeding One Thousand Dollars, or by both.

Adopted.

Senator Stookey moved the adoption of the following amendment:

I move to amend line five of Section Fifty-five (55) by striking out the word "crime" and inserting in lieu thereof the word "misdemeanor."

Also amend line seven by inserting after the word "imprisonment" the words "in the county jail."

Adopted.

Senator Stookey moved the adoption of the following amendment:

I move to amend Section Fifty-eight (58) by inserting as line eighteen the following words: "purchaser includes mortgagee and

pledgee," and as line nineteen the following words: "receipt means a warehouse receipt."

Adopted.

Senator Stookey moved the adoption of the following amendment:

I move to strike out Section Sixty (60) of the bill and insert the following as Section Sixty (60):

SEC. 60. Section Thirty-one Hundred and Twenty-nine (3129) of the Code is hereby repealed.

Adopted.

Senator Stookey moved the adoption of the following amendment:

Amend the bill by striking out Sections Sixty-one (61) and Sixty-two (62) thereof.

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Moon, Newberry, Peterson, Saunders, Smith of Des Moines, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were:

None.

Absent or not voting:

Senators Crossley, Dunham, Maytag, Nichols, Seeley, Smith of Mitchell, Taylor—7.

Senator Stookey moved the adoption of the following amendment to the title of the bill:

Add to the title of said bill the following words: "and repeal Section Thirty-one Hundred and Twenty-nine (3129) 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.

By unanimous consent, on motion of Senator Hughes, House File No. 228, 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 safeguarding of machinery, was taken up and considered.

Senator Frudden offered the following as a substitute for House File No. 228:

SUBSTITUTE FOR HOUSE FILE NO. 228.

A BILL for an act to repeal Section Forty-nine Hundred and Ninety-nine-B (4999-B) as it appears in the Supplement to the Code.

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

SECTION 1. That Section Forty-nine Hundred and Ninety-nine-B (4999-B), as it appears in the Supplement to the Code, is hereby repealed, and the following enacted in lieu thereof:

SEC. 2. Duties of Persons in Charge. It shall be the duty of the owner, operator, superintendent, or other persons having charge of any manufacturing or other establishment where machinery is used, to furnish and supply or cause to be furnished or supplied therein, belt shifters, or other safe mechanical contrivances, for the purpose of throwing belts on and off pulleys, and, wherever possible, machinery therein shall be provided with loose pulleys, or with a loose perpendicular belt and tightener; all saws, cogs, gearing, belting, shafting, set screws, and machinery of every description therein shall be properly guarded. Whenever it becomes necessary to remove some or all of the guards, including springs or pressure bars that may properly come under this act, to enable the employe operating said machinery to perform certain work, it shall be the duty of said employe to immediately replace them after said work has been completed, and upon his failure to do so he shall be punished by a fine not to exceed Ten Dollars (\$10.00).

No person shall be permitted or directed to clean machinery while in motion. Children under sixteen years of age shall not be permitted to operate or assist in operating dangerous machinery of any kind.

The substitute was read first and second time.

Senator Newberry moved to amend the substitute by striking out the words "Duties of persons, in charge," at the beginning of Section Two (2).

Adopted.

Senator Saunders moved the adoption of the following amendment:

Add to the last section the words "no female under eighteen years of age shall be permitted or directed to adjust machinery while in motion."

Adopted.

Further consideration of the bill was postponed.

REPORTS OF COMMITTEE.

Senator Smith of Mitchell, 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. 202, a bill for an act to amend Section Thirteen Hundred and Four of the Code, relating to exemptions for taxation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

By inserting after the word "institution" and before the word "as" in the fifth line of Section One (1), of the original bill the following words, to-wit: "of this State".

And when so amended the bill do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Joint Resolution No. 4, a bill for an act providing for the appointment of a commission to inquire into the subject of taxation for State and local purposes and the expediency of revising and amending the laws relating thereto 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:

1. By striking out the word "comptroller" at the end of Section One (1), and inserting in lieu thereof the words "Auditor of State".

2. By adding to Section Two (2) the following: "The expenses incurred under this section shall be paid by the State Treasurer on the warrant of the Auditor of State, and all bills shall be approved by the chairman of said commission".

3. By striking out all of Section Three (3), and substituting in lieu thereof the following:

SEC. 3. The said actual and necessary expenses incurred by said commission, to be paid out of any money in the treasury not otherwise appropriated, on vouchers filed with the Auditor of State; pro-

vided the aggregate expenditures of said commission shall not exceed the sum of Three Thousand (\$3,000) Dollars."

And when so amended the bill do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, 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. 313, a bill for an act dividing the State into districts, establishing agricultural and manual training schools therein, providing for their management, control and the operation thereof, creating a board of trustees therefor, establishing courses of study therein and making provision for the creation and support 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 without recommendation.

JAS. A. SMITH,
Chairman.

Adopted.

Senator Smith of Mitchell moved that Senate File No. 313 be referred to Committee on Appropriations.

Carried.

Senator Smith of Mitchell, 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. 191, a bill for an act providing for the listing and taxing of mortgages and other liens upon real estate, and mortgaged 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.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, 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. 83, a bill for an act regulating the taxation of mortgages and mortgaged 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.

JAS. A. SMITH,
Chairman.

Adopted.

So the bill was indefinitely postponed.

INTRODUCTION OF BILLS.

By Senator Saunders, Senate File No. 339, a bill for an act to amend Section Five Thousand Six Hundred and Sixty-three (5663) of the Code as it appears in the section of said number in the Supplement to the Code, relative to the number of guards in the State penitentiaries.

Read first and second time and referred to Committee on Penitentiaries and Pardons.

By Senator Saunders, Senate File No. 340, a bill for an act amending Section Two Thousand and Fifty-one (2051) of the Code, relating to the conditional sale or lease of railroad or street railway equipment or rolling stock, so as to provide for the conditional sale or lease of power house and electrical equipment of interurban or street railways or of electric light and power companies or of steam heating companies.

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

Senator Saunders asked unanimous consent to have Senate File No. 287 re-referred to the Committee on Railroads.

Consent granted.

By unanimous consent, on motion of Senator Kinne, House File No. 278, a bill for an act to authorize the construction of a lock canal between Spirit Lake and East Okoboji Lake in Dickinson county, Iowa, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee, with substitute as amended, adopted.

Senator Kinne moved that the substitute be substituted for the original bill.

Carried.

The bill was read for information.

Senator Kinne moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, McKlveen, Mat-tes, Maytag, Moon, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Turner, Wade, War-ren, Whipple, Whiting, Wilson of Clinton, Young—38.

The nays were :

None.

Absent or not voting :

Senators Crossley, DeArmand, Dunham, Hopkins, Jamison of Clarke, Lambert, McManus, Nichols, Saunders, Stuckslager, Tay-lor, Wilson of Fayette—12.

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

By unanimous consent, on motion of Senator Elerick, Senate File No. 234, a bill for an act to authorize the reconsignment with-out charge to a new destination of property forwarded by a com-mon carrier, and to provide for the treatment of the same as an original shipment, with report of committee recommending pass-age as amended, was taken up, considered, and the report of the committee adopted.

Senator Elerick moved the adoption of the following committee amendment :

Section One (1) of said bill be amended to read as follows:

SECTION 1. On request of the consignee, it shall be the duty of any common carrier of freight to reassign, rebill and reship from any place of destination within the State to any other place within the State any property in carload lots, whether accompanied by any person or not, brought to said place of destination over its own or other line, and treat the same in all respects as an original shipment between such places; provided, the charges to first place of destination are paid or secured to the satisfaction of such company.

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Whipple, Whiting, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Crossley, Dunham, Nichols, Taylor, Warren, Wilson of Fayette—6.

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 Newberry, Senate File No. 47, a bill for an act to amend the law as it appears in Chapter Eighty-eight (88) laws of the Thirtieth General Assembly, relating to the compensation of Deputy and Assistant Dairy Commissioners, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted,

The President ruled that the bill carried an appropriation and under the rules would have to be referred to the Committee on Appropriations and it was so referred.

By unanimous consent, on motion of Senator Gilliland, Senate File No. 262, a bill for an act to provide for sewer outlets and purifying plants in cities of the second class and towns, was taken up and considered.

Senator Gilliland moved that the Senate concur in the following House amendments:

Amend the title by inserting therein, following the word "plants," the words "and the levy of a tax therefor."

Amend by striking out the figures "894" in the seventh line of Sec-

tion One (1) and inserting in lieu thereof the words "Eight Hundred Ninety-four."

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Turner, Wade, Warren, Whipple, Whiting, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators Clark, Crossley, Dunham, Kinne, Nichols, Stuck-slager, Taylor, Wilson of Fayette—8.

So the amendment was concurred in.

HOUSE MESSAGES CONSIDERED.

House indefinitely postponed Senate File No. 259, a bill for an act legalizing the ordinances, acts, proceedings and resolutions passed by the town council of Pocahontas, Pocahontas county, Iowa, and legalizing all the acts, proceedings and resolutions adopted or passed by the said town council in connection with the voting and granting of a franchise to the Havelock Mutual Telephone Company, as set forth in ordinance number forty-one of said town.

Passed on file.

House amended and passed Senate File No. 25, a bill for an act to repeal Section Three (3) of Chapter One Hundred One (101) of the laws of the Thirtieth General Assembly, and of Chapter One Hundred and Thirteen (113) of the laws of the Thirty-first General Assembly, relative to establishing and maintaining a State Board of Health laboratory at Iowa City, and enacting in lieu thereof the following

Passed on file

House amended and passed Senate File No. 11, a bill for an act to repeal Section Twenty-one Hundred Thirteen (2113) of the Code, relating to the powers and duties of the Board of Railroad Commissioners, and enacting a substitute therefor.

Passed on file.

House amended and passed Senate file No. 276, a bill for an act to amend the law as it appears in Section One Hundred Thirty-six of the Supplement to the Code, fixing the manner of distribution of the report of the Academy of Sciences.

Passed on file.

House amended and passed Senate File No. 181, a bill for an act to amend Section Six (6) and Chapter Eleven (11) of the laws of the Thirtieth General Assembly, entitled "An act enlarging the powers of the District Court and to regulate the treatment and control of dependent, neglected and delinquent children" (additional to Chapter Five (5), of Title One Hundred Eleven (111), of the Code), relating to the District Court.

Passed on file.

Senate File No. 261, a bill for an act to amend Senate File 22, as passed by the Thirty-second General Assembly February 8, 1907, and approved February 14, 1907, providing for the investment of funds of fraternal beneficiary societies, orders and associations.

Passed on file.

Senate File No. 245, a bill for an act directing the custodian of public buildings and property to prepare a case for the reception of flags carried by Iowa regiments during the Spanish-American war, and making an appropriation therefor.

Passed on file.

Senate File No. 249, a bill for an act to amend Section Nine Hundred Fifty-five (955) of the Code, relating to the establishment, erection, purchase, lease, maintenance or operation of certain public utilities and the granting of franchises for the same so as to include heating plants.

Passed on file.

Senate File No. 10, a bill for an act to amend the law as it appears in Section Thirteen Hundred Thirty-three-d (1333-d),

Supplement to the Code, relating to State tax on gross receipts of insurance corporations and associations.

Passed on file.

Senate File No. 171, a bill for an act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of any corporation, or joint stock association, which said statements or publications are intended to give or shall have a tendency to give a less or greater apparent value to the shares, bonds or property, or to any part thereof, of said corporation or joint stock association than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor.

Passed on file.

House File 287, a bill for an act to amend the law as it appears in Section Sixteen Hundred Ten (1610) of the Supplement to the Code, in relation to corporations for pecuniary profit.

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

Senator Hopkins moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A.M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, SATURDAY, MARCH 23, A. D. 1907.

Senate met in regular session at 9 o'clock A.M., President Garst presiding.

Prayer was offered by the Rev. J. George of Atlantic.

On request of Senator Allen, leave of absence was granted Senator Moon for the day.

On request of Senator Maytag, leave of absence was granted Senator DeWolf for the day.

On request of Senator Gilliland, leave of absence was granted Senator Whipple for the day.

On request of Senator Jones, leave of absence was granted Senator Nichols until Tuesday.

On request of Senator Smith of Des Moines, leave of absence was granted Senator Lambert for the day.

PETITIONS AND MEMORIALS.

Senator Whiting presented petitions of shippers of freight located at Logan and Woodbine protesting against the passage of the Reciprocal Demurrage Bill.

Referred to Committee on Railroads.

Senator Dunham presented numerous telegrams from citizens of Independence, Winthrop, Manchester, Masonville and Jesup, protesting against the passage of the Reciprocal Demurrage Bill.

Referred to Committee on Railroads.

INTRODUCTION OF BILLS.

By Senator Dowell, Senate File No. 341, a bill for an act to amend the law as it appears in Section Eight Hundred and Fifty-two (852), of the Supplement to the Code as amended by Chapter Thirty-four (34) of the laws of the Thirtieth General Assembly, authorizing the levy of an additional tax of one mill on the dollar on all taxable property for park purposes, relating to park commissioners, their powers and duties.

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

By Senator Bruce, Senate File No. 342, a bill for an act amendatory of and additional to Title Five (5), Chapter Four (4) of the Code, relating to the power of cities and towns and cities under special charters to regulate, or suppress, restrain and prohibit the handling and use of intoxicating liquors on the streets, alleys, railway and depot grounds, and other public places or grounds or on or in any private premises without the consent of the owner of such premises, within the corporate limits of any city or town.

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

Senator Peterson offered the following motion :

MR. PRESIDENT—I move that the bills on the Calendar be considered in their Calendar order and that hereafter no special order be made without a two-thirds vote of the Senate, and that all speeches be limited to ten minutes.

Carried.

Senator Smith of Mitchell moved that House Files No. 303, 304 and 305 be recalled from the Committee on Retrenchment and Reform and placed on the Calendar.

Carried.

REPORTS OF COMMITTEES.

Senator Gilliland, 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. 312, a bill for an act to authorize cities and towns, including cities under special charter, to provide for the collection and disposal of garbage, and for payment for such service, beg

leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

SHIRLEY GILLILLAND,
Chairman.

Ordered passed on file.

Senator Gilliland, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 278, a bill for an act authorizing towns and cities, including cities under special charter, to appropriate money to pay dues in the League of Iowa Municipalities, and to pay the actual expense of delegates to the meetings of such league, additional to Chapter Three (3), Title V (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 do pass.

SHIRLEY GILLILLAND,
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. 51, a bill for an act to prescribe the duties of express companies and other common carriers handling or delivering packages, where the purchase price or any part thereof is collected on delivery, and packages with bill of lading attached, beg leave to report that they have 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.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 52, a bill for an act to regulate the disposition of certain intoxicating liquors received from express companies or other common carriers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

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. 189, a bill for an act to regulate and tax persons taking orders for intoxicating liquors to be delivered in the future, beg leave to report that they have 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.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 91, a bill for an act relative to the appointment of non-residents of the State as executors, beg leave to report that they have 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.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 299, a bill for an act defining bucket shop and bucket shopping, making it a crime to maintain and operate the same, and providing penalties for so doing, beg leave to report that they have 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.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was referred to Committee on Railroads.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 376, a bill for an act giving certain powers to the Board of Supervisors, in relation to the alteration or straightening of highways, and to prevent the encroachment of streams thereon, and to condemn land necessary for said 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 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. 336, a bill for an act amendatory of and additional to the law as it appears in Section Three (3), Chapter One Hundred and Sixteen (116) of the laws of the Thirty-first General Assembly of Iowa, relative to the practice of dentistry, and extending the time within which to file licenses issued prior to January 1, 1907, under certain conditions, beg leave to report that they have 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 said bill by striking out the word and figures "of 1897" in the eighth line thereof.

And when so amended the bill 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. 65, a bill for an act to amend Section Eighteen Hundred and Eighty-four (1884) of the Code; that the said section be amended by adding thereto and defining the term "when insolvent," beg leave to report that they have 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.

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 Senate File No. 338, a bill for an act for the regulation and taxation of persons who shall maintain an office or place of business where intoxicating liquors are held in store, and the purchase price thereof collected for the owner from the person to whom they have been conditionally sold, beg leave to report that they have 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 said bill by striking out the word and figures "of 1897" in the thirteenth line thereof.

And when so amended the bill 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 House File No. 408, a bill for an act to amend Section Three Hundred and Ten (310) of the Supplement to the Code, relating to qualification for admission to the bar, beg leave to report that they 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 House File No. 88, a bill for an act to amend Section Four Thousand One Hundred and Twenty (4120) of the Code, relative to the time for filing abstract 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.

Senator Jamison of Clarke, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 271, a bill for an act amending Section Two (2), Chapter One Hundred and Forty (140), laws of the Thirty-first General Assembly, relating to the issue of school and refunding 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 following substitute be adopted for the bill:

SUBSTITUTE FOR SENATE FILE NO. 271.

A BILL for an act to repeal Chapter One Hundred and Forty (140), laws of the Thirty-first General Assembly, relative to bonds of school corporations, and enacting a substitute therefor.

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

SECTION 1. That Chapter One Hundred and Forty (140), laws of the

Thirty-first General Assembly, be, and the same is hereby repealed, and the following sections enacted in lieu thereof:

SEC. 2. The boards of directors of any school corporation may issue the bonds of said school corporation to pay any judgment against said school corporation or any indebtedness represented by bonds heretofore lawfully issued. Said bonds shall be known as school funding bonds and shall be authorized by resolution of the board. The proceeds derived from said bonds shall be applied in payment of any such outstanding judgment or bonded indebtedness, or said bonds may be exchanged for outstanding judgments or bonds, par for par.

SEC. 3. For the purpose of borrowing money necessary to erect, complete, equip, furnish or improve a school house, or to purchase sites therefor, the board of directors of any school corporation, when they have been heretofore or when they may hereafter be authorized by the voters at the annual meeting, or a special meeting called for that purpose, may issue the negotiable interest bearing bonds of said school corporation; said bonds to be known as school building bonds.

SEC. 4. All of said bonds shall be substantially in the form provided for county bonds, but subject to changes that will conform them to the action of the board providing therefor, shall run not more than ten years, and may be sooner paid if so nominated in the bond; be in denomination of not more than One Thousand Dollars (\$1,000.00) or less than One Hundred Dollars (\$100.00) each, to bear a rate of interest not exceeding six (6) per centum per annum, payable semi-annually, to be signed by the president and countersigned by the secretary of the board of directors, and shall not be disposed of for less than par value, or issued for other purposes than this chapter provides. All of said bonds shall be registered in the office of the County Auditor. The expenses of engraving and printing of bonds may be paid out of the contingent fund.

SEC. 5. Whenever the amount in the hands of the treasurer, belonging to the fund set aside to pay bonds, is sufficient to redeem one or more bonds, which by their terms are subject to redemption, he shall give the owner of said bonds thirty (30) days' written notice of the readiness of the district to pay, and the amount it desires to pay. If not presented for payment or redemption within thirty days after the date of such notice, the interest on such bonds shall cease and the amount due thereon shall be set aside for its payment whenever presented. All redemptions shall be made in the order of their numbers. The treasurer shall keep a record of the parties to whom bonds are sold, together with their postoffice addresses, and notice mailed to the address as shown by such record shall be sufficient.

SEC. 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 the Des Moines Capital, newspapers published in Des Moines, Iowa.

And when so amended the bill do pass.

JAS. H. JAMISON,
Chairman Pro Tem.

The substitute was read first and second time and passed on file.

Senator Wilson of Fayette, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 3, 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 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.

A. C. WILSON,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Wilson of Fayette, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred House File No. 98, a bill for an act to amend the law as it appears in Sections One Thousand One Hundred and Thirty-seven-b (1337-b), One Thousand One Hundred and Thirty-seven-f (1137-f) and One Thousand One Hundred and Thirty-seven-g (1137-g) of Chapter Three-a (3-a) of the Supplement to the Code, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

A. C. WILSON,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Wilson of Fayette, 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 party nominations and election of party committeemen by primary elections and providing for penalties for the violation of the provisions thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

A. C. WILSON,
Chairman.

Ordered passed on file.

Senator Wilson of Fayette, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 332, a bill for an act to provide for the election of county officers and fixing their terms of office, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

A. C. WILSON,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 29, a bill for an act to amend Section Seven (7) of Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly, relating to registration of births and deaths, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR HOUSE FILE NO. 29.

A BILL for an act to amend Section Seven (7) of Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly, relating to registration of births and deaths.

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

SECTION 1. That all of Section Seven (7) except the word "section" and figure "7" of Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly be stricken out and the following be inserted in lieu thereof: "There is hereby appropriated the sum of Two Thousand (\$2,000.00) Dollars annually, or so much thereof as may be necessary to pay the expense of printing, postage, clerk hire, and such other expenses as may be required. All bills to be itemized, certified to, and approved by the State registrar."

And when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Substitute was read first and second time and passed on file.

Senator Wilson of Fayette asked unanimous consent to have House File No. 145 re-referred to the Committee on Judiciary.

Consent granted.

Senator Stookey, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred House File No. 94, a bill for an act to provide for the admission of deaf and dumb persons to the School for the Deaf at Council Bluffs and their maintenance, etc., amendatory of Chapter Two (2), Title Thirteen (13) of the Code, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

MARION F. STOOKEY,
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 passed the following concurrent resolution, in which the concurrence of the Senate is asked:

WHEREAS, The State of Iowa has expended about \$250,000 for the erection of monuments on southern battlefields to commemorate the sacrifices, the bravery and the deeds of patriotism of Iowa soldiers at Vicksburg, Chattanooga, Lookout Mountain, Missionary Ridge, Shiloh and Andersonville; and,

WHEREAS, Only a small number of Iowa's civilians and a very few of the old soldiers will ever have the privilege of viewing the memorials erected to perpetuate the memory of the noble deeds of valor and loyalty of the Iowa soldiers; and

WHEREAS, The lessons of patriotism and loyalty may be best learned by a study of the lives of our own heroes; and,

WHEREAS, The histories of these battles, the addresses of the dedicatory exercises and the pictures of the monuments and the battlefields, with the reports of the Battlefield Monument Commission, would be a deserved tribute to the soldiers of Iowa and an inspiration to the people of the State; therefore,

Be It Resolved by the House, the Senate concurring, That the Secretary of State is hereby authorized to have 10,000 copies of said report and history of the southern battlefields commission printed and bound in suitable style and that one copy be sent to each public library in Iowa, one to each Grand Army post, one to each newspaper, and that ten copies be apportioned to each member of the Thirty-second General Assembly, two copies to each State officer, and one thousand copies retained by the Secretary of State for subsequent distribution.

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. 280, 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, and repealing Chapter Forty (40), laws of the Thirtieth General Assembly, and Chapters Forty-five (45) and Forty-six (46), laws of the Thirty-first 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 House was asked:

Senate File No. 314, a bill for an act to legalize certain ordinances and official acts of the town council of Mondamin, Harrison 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. 205, a bill for an act providing for special assessments for sidewalk and street improvements in cities and towns upon the right of way of any railroad company fronting or abutting upon a street, highway, avenue, alley, public ground, wharf, landing or market place the same as upon any land or lot therein, and providing for the collection thereof.

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. 201, a bill for an act to repeal the law as it appears in Section Thirteen Hundred and Forty-seven-A (1347-A) of the Supplement to the Code, and Chapter Forty-eight (48), acts of the Thirtieth General Assembly, relating to the vocation of peddlers, defining the term peddlers so as to include transient mer-

chants and itinerant vendors selling by sample or by taking orders for immediate or future delivery, 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 House was asked:

Senate File No. 289, a bill for an act to amend the law as it appears in Section Five (5), Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly, and to require assessors to report deaths occurring in their respective districts.

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. 236, a bill for an act defining the relations between employer and employe with respect to assumption of risk, and providing what shall constitute notice thereof.

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. 215, a bill for an act to amend the law as it appears in Sections Six Hundred and Seventy-nine-a (679-a), Six Hundred and Seventy-nine-f (679-f), Six Hundred and Seventy-nine-g (679-g) and Six Hundred and Seventy-nine-h (679-h) of the Supplement to the Code, relating to board of police and fire commissioners in certain cities of the first class, and providing for the taking effect thereof.

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. 157, a bill for an act to repeal Section Two Thousand Five Hundred and Ninety-three (2593) of the Code, and to enact a substitute therefor, relating to the practice of pharmacy.

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. 447, a bill for an act to change the name of a certain river in northeastern 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. 307, a bill for an act to amend Section Three Hundred and Fifty-four of the Code, relating to fees and mileage of 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 House was asked:

House File No. 266, a bill for an act to repeal Section Two Thousand Five Hundred and Seventy-eight of the Code, and to enact a substitute therefor, relating to revocation of physicians' certificates.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Jamison of Clarke, House File No. 239, a bill for an act to amend Section Seventeen Hundred and Sixty-eight (1768) of the Code, relating to life insurance companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Jamison of Clarke 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:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McKlveen, Mattes, Maytag, New-

berry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whiting, Wilson of Fayette, Young—39.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeWolf, Gale, Lambert, McManus, Moon, Nichols, Saunders, Taylor, Whipple, Wilson of Clinton—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 Peterson, House File No. 140, a bill for an act to regulate the conduct of all employment offices or bureaus where a fee is paid for services in securing employment, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Peterson 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:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Carke, Jones, Kinne, McKlveen, Mattes, Maytag, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Young—39.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeWolf, Frudden, Kimmel, Lambert, McManus, Moon, Nichols, Saunders, Whipple, Wilson of Clinton—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 Hughes, substitute for House File No. 228, a bill for an act to amend the law as it appears in Section Forty-nine Hundred and Ninety-nine-b (4999-b) of the Supplement to the Code, relating to the safeguarding of machinery.

The substitute was read for information.

Senator Frudden moved that the substitute be substituted for the original bill.

Carried.

Senator Peterson moved the adoption of the following amendment:

I move to amend Section One (1) by adding the words "or employer" after the word "employee" in line sixteen of the bill.

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Bruce, Clark, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, McKlveen, Mattes, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Young—36.

The nays were:

None.

Absent or not voting:

Senators Allen, Burgess, Crossley, DeArmand, DeWolf, Kinne, Lambert, McManus, Maytag, Moon, Nichols, Saunders, Whipple, Wilson of Clinton—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 Peterson, Senate File No. 231, a bill for an act to amend Section Thirty-eight Hundred and Fifty-three (3853) of the Code, relating to the recovery of costs by the successful against the losing party, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Peterson moved the adoption of the following committee amendment:

That Section One (1) be amended by striking out the period and quotation marks following the word "trial" at the end thereof, and inserting a comma in lieu thereof, and after said comma the following: "unless otherwise ordered by the court at the time of entering judgment."

Adopted.

The bill was read for information.

Senator Peterson moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Frudden, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McKlveen, McManus, Mattes, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Young—39.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeWolf, Foley, Hopkins, Lambert, Maytag, Moon, Nichols, Saunders, Whipple, Wilson of Clinton—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 Dunham, Senate File No. 243, a bill for an act to amend the law as it appears in

Section Sixteen Hundred and Ten (1610) of the Supplement to the Code, relating to articles of incorporation and incorporation fees, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

The time having arrived for the special order, Senate File No. 20, a bill for an act to repeal Chapter Fifty (50) of Title Nine (9) of the Code, and enact a substitute therefor, was taken up and considered.

Senator Bleakly moved the adoption of the following committee amendment:

Section One. Line eight. Strike out the word "other" and insert in lieu thereof the word "similar."

Adopted.

Senator Bleakly moved the adoption of the following committee amendment:

Add to the bottom of said Section One (1) the following paragraphs:

Risks or hazards above mentioned shall be classified as follows:

1. Fire and lightning.
2. Tornadoes, cyclones and windstorms.
3. Hailstorms.
4. Plate glass.

Adopted.

Senator Bleakly moved the adoption of the following committee amendment:

Section Three. Strike out lines one, two and three, and the first six words of line four, to and including the word "received," and insert in lieu thereof the following:

SEC. 3. No State mutual assessment association shall issue any policies until at least one hundred and twenty-five (125) applications have been received in any class as shown by Section One (1) hereof, representing the following amount of insurance: Classes one, two and three, Two Hundred and Fifty Thousand Dollars (\$25,000.00) each; class four, One Hundred Thousand Dollars (\$100,000.00).

Adopted.

Senator Bleakly moved the adoption of the following committee amendment:

Section Four. Strike out line numbered sixteen and insert the following in its place:

16. Amount and number of claims reported but not adjusted.

Strike from the line numbered seventeen the word "losses" and insert the word "claims" in its place.

Strike the entire line numbered twenty-two and insert the following in its place:

22. The amount of cash in hands of agents and in course of transmission.

Adopted.

Senator Bleakly moved the adoption of the following committee amendment:

Section Seven. Add to line six after the word "no" the words "state mutual."

Add to last line of Section Seven (7), after the word "advance," the words "where such assessment exceeds three (3) mills on each dollar of insurance in force."

Transpose Sections Seven (7) and Eight (8), numbering the present Section Seven (7) as Section Eight (8) and the present Section Eight (8) as Section Seven (7).

Adopted.

Senator Bleakly moved the adoption of the following committee amendment:

Section Nine. Amend line two by inserting after the word "chapter" the words "except such associations as confine their business exclusively to dwelling houses, barns, farm buildings, and contents."

Amend line six by inserting after the words "forty (40) per cent" the words "but not to exceed fifty (50) per cent."

Adopted.

Senator Bleakly moved the adoption of the following committee amendment:

Section Twelve. Strike out the words "be of the opinion" from line two and substitute the word "ascertain."

Strike from line twenty-three the words "Two Hundred and Fifty Thousand Dollars (\$250,000.00)" and insert in lieu thereof the words "the amount required by Section Three (3) hereof."

Adopted.

Senator Bleakly moved the adoption of the following committee amendment:

Section Thirteen. Substitute the following for Section Thirteen (13):
 Sec. 13. Any policy of insurance issued by an association operating

under the provisions of this chapter may be cancelled by the association giving five (5) days' written notice thereof to the insured, or if the insured shall demand, in writing or in person, of the association, the cancellation of his policy, the association shall immediately advise him, by letter to address named, the amount, if any, due, as his pro rata share of losses and expenses incurred since date of his policy. Upon surrender of his policy and payment of all sums due, his membership shall cease; provided, that during the months of June, July and August, hail insurance policies may be cancelled only at the option of the officers of the association carrying the risk.

Upon the expiration or cancellation of any policy of insurance issued under the provisions of this act, all obligations to the association having been paid, the member shall be entitled to, and shall be paid by the association, a sum equal to at least seventy-five (75) per cent of the unexpired portion of the amount contributed by him to the reinsurance reserve.

Strike from the bill, wherever they occur, the words "insurance department" or the words "Insurance Commissioner," and substitute therefor the words "Auditor of State," and in conformity with this provision, change the word "it" to "him" in line two of Section Five (5).

Adopted.

Senator Bleakly moved that the Secretary be authorized to use a copy of the printed bill in place of the original bill.

Carried.

The bill was read for information.

Senator Bleakly moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, McKlveen, McManus, Mattes, Maytag, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Young—41.

The nays were:

None.

Absent or not voting :

Senators Crossley, DeWolf, Jamieson of Page, Lambert, Moon, Nichols, Saunders, Whipple, Wilson of Clinton—9.

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 Jackson, Senate File No. 61, a bill for an act to authorize the bringing of ordinary suits at law for the collection of delinquent taxes and for the issuance of writs of attachment in certain cases, and to amend Section One Thousand Four Hundred and Fourteen (1414) of the Code, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Turner was called to the chair at 10:55 o'clock.

Senator Warren moved the adoption of the following amendment :

Amend by striking out the words "whether due or not" in line six of Section Two (2) of the printed substitute.

The amendment was lost.

Senator Jackson moved that the committee substitute be substituted for the original bill.

Carried.

The bill was read for information.

Senator Jackson moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dunham, Eekles, Elerick, Ericson, Foley, Frudden, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, McKlveen, McManus, Mattes, Maytag, Newberry, Peterson, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Whiting, Wilson of Fayette, Young—33.

The nays were :

None.

Absent or not voting :

Senators Crossley, DeWolf, Dowell, Gale, Gilliland, Jamieson of Page, Jamison of Clarke, Lambert, Moon, Nichols, Saunders, Seeley, Smith of Des Moines, Taylor, Warren, Whipple, Wilson of Clinton—17.

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 Jamison of Clarke, House File No. 275, a bill for an act to prohibit misrepresentations by life insurance companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Jamison of Clarke 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 :

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, McKlveen, McManus, Mattes, Maytag, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whiting, Wilson of Fayette, Young—39.

The nays were :

None.

Absent or not voting :

Senators Crossley, DeWolf, Gilliland, Jamieson of Page, Lambert, Moon, Nichols, Saunders, Taylor, Whipple, Wilson of Clinton—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 Kinne, leave of absence was granted Senator McKlveen indefinitely on account of sickness in his family.

By unanimous consent, on motion of Senator Allen, Senate File No. 155, a bill for an act to amend the law as it appears in Section Three Thousand Four Hundred and Ninety-six (3496) of the Code, limiting the place in which action may be brought upon contracts, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Allen moved the adoption of the following committee amendment:

Amend the title to said bill by striking out the words "the law as it appears in" in the first line thereof. Also by adding after the word "section" in the first line thereof, the words "Thirty-four Hundred Ninety-six."

Adopted.

Senator Allen moved the adoption of the following committee amendment:

Amend Section One (1) of said bill by striking out the words "that the law as it appears in" in the first line thereof.

Adopted.

Senator Allen moved the adoption of the following committee amendment:

That Section One (1) be further amended by striking out the letter "s" from the word "contracts," appearing in the fifth line thereof. Also by striking out the word "incorporation," appearing in the seventh line thereof, and insert in lieu thereof the word "corporation."

Adopted.

Senator Allen moved the adoption of the following committee amendment:

That Section One (1) be further amended by striking out all after the word "residence" in the first line thereof, and inserting in lieu thereof the words "of one or more of the debtors."

Adopted.

Senator Allen moved the adoption of the following committee amendment:

That Section Two (2) of said bill be stricken out.

Adopted.

The bill as amended was read for information.

The President resumed the chair at 11:40 o'clock.

Senator Allen moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Clark, DeArmand, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Turner, Wade, Warren, Whiting, Wilson of Fayette, Young—34.

The nays were:

None.

Absent or not voting:

Senators Burgess, Crossley, DeWolf, Dowell, Lambert, Jamieson of Page, Jamieson of Clarke, McKlveen, Moon, Nichols, Saunders, Stookey, Taylor, Stuckslager, Whipple, Wilson of Clinton—16.

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 Fayette, House File No. 279, a bill for an act to repeal Section One Thousand and One Hundred and Sixty-four (1164) of the Code, in relation to recording abstracts of votes in the office of the Secretary of State, and to enact a substitute therefor, 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 the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Whiting, Wilson of Fayette, Young—34.

The nays were:

None.

Absent or not voting:

Senators Burgess, Crossley, DeArmand, DeWolf, Gale, Jamieson of Page, Jamieson of Clarke, Lambert, McKlveen, Moon, Nichols, Saunders, Taylor, Warren, Whipple, Wilson of Clinton—16.

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. 266, a bill for an act to repeal Section Two Thousand Five Hundred and Seventy-eight (2578) of the Code, and to enact a substitute therefor, relating to the revocation of physicians' certificates.

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

House File No. 307, a bill for an act to amend Section Three Hundred and Fifty-four (354) of the Code, relating to fees and mileage of jurors.

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

House File No. 447, a bill for an act to change the name of a certain river in northeastern Iowa.

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

House amended and passed Senate File No. 157, a bill for an act to repeal Section Two Thousand Five Hundred and Ninety-

three (2593) of the Code, and to enact a substitute therefor, relating to the practice of pharmacy.

Passed on file.

House amended and passed Senate File No. 215, a bill for an act to amend the law as it appears in Sections Six Hundred and Seventy-nine-a (679-a), Six Hundred and Seventy-nine-f (679-f), Six Hundred and Seventy-nine-g (679-g) and Six Hundred and Seventy-nine-h (679-h) of the Supplement to the Code, relating to board of police and fire commissioners in certain cities of the first class, and providing for the taking effect thereof.

Passed on file.

House amended and passed substitute for Senate File No. 236, a bill for an act defining the relations between employer and employe with respect to assumption of risk, and providing what shall constitute notice thereof.

Passed on file.

Senate File No. 289, a bill for an act to amend the law as it appears in Section Five (5), Chapter One Hundred and Nine (109) of the Thirty-first General Assembly and to require assessors to report deaths occurring in their respective districts.

Passed on file.

House amended and passed substitute for Senate File No. 201, a bill for an act to repeal the law as it appears in Section One Thousand Three Hundred and Forty-seven-A (1347-A) of the Supplement to the Code, and Chapter Forty-eight (48), acts of the Thirtieth General Assembly, relating to the vocation of peddlers, defining the term peddlers so as to include transient merchants and itinerant vendors selling by sample or by taking orders for immediate or future delivery, and to enact a substitute therefor.

Passed on file.

Senate File No. 205, a bill for an act providing for special assessments for sidewalk and street improvements in cities and towns upon the right of way of any railroad company fronting or abutting upon a street, highway, avenue, alley, public ground, wharf, landing or market place the same as upon any land or lot therein, and providing for the collection thereof.

Passed on file.

Senate File No. 314, a bill for an act to legalize certain ordinances and official acts of the town council of Mondamin, Harrison county, Iowa.

Passed on file.

House concurrent resolution, relative to the printing of 10,000 copies of the reports of the monument commissions.

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

House amended and passed Senate File No. 280, 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, and repealing Chapter Forty (40), laws of the Thirtieth General Assembly, and Chapters Forty-five (45) and Forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections.

Passed on file.

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Maytag, House concurrent resolution, appointing a committee to prepare and submit appropriate resolutions respecting the life, character and public service of Ex-Lieutenant Governor Frank T. Campbell, lately deceased, was taken up and considered.

Senator Maytag moved that the Senate concur in the House concurrent resolution.

Carried.

The President announced as such committee on the part of the Senate: Senators Dowell, Dunham and Frudden.

The President announced that he had signed, in the presence of the Senate, Senate Files No. 262, 261, 249, 245, 171, 10, 290, 50, 38 and 5.

INTRODUCTION OF BILLS.

By Senator Turner, Senate Joint Resolution No. 5, for the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and President of the Senate.

Read first and second time and placed on Calendar.

REPORTS OF COMMITTEES.

Senator Ericson, from the Committee on Constitutional Amendments and Suffrage, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments and Suffrage, to whom was referred Joint Resolution No. 2, 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.

C. J. A. ERICSON,
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. 530, a bill for an act relating to the sale of intoxicants in the vicinity of military reservations, and providing 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 be amended by striking out the words "provided the same may be sold for sacramental or medicinal uses," in the fifth and sixth line thereof, and that the same be further amended by striking out the words "military reservation or grounds used for military purposes in the," in the fourth line thereof, and inserting in lieu thereof the words "permanent military post or reservation established by the United States within the," and when so amended the bill do pass.

GEO. W. DUNHAM,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 5, a bill for an act defining desertion, providing punishment therefor, and permitting a husband or wife to be a witness in such cases.

Also:

Senate File No. 38, a bill for an act prohibiting any corporation doing business within the State, or any officer, agent or representative thereof acting for such corporation, from giving or contributing any money, property, labor or thing of value, to any member of any political committee, party or employe thereof, or to any candidate for any office, for campaign expenses or political purpose whatsoever, or to any person, partnership or corporation for the purpose of influencing or causing said person, partnership or corporation to influence any elector of the State to vote for or against any candidate for public office or candidate for nomination for any public office or to any public officer for the purpose of influencing his official action, and prohibiting any member of any political committee, party or employe thereof, or any candidate for any office from soliciting, requesting or knowingly receiving any such contribution from any corporation for campaign expenses or political purpose whatsoever, and providing a penalty for the violation thereof.

Also:

Senate File No. 290, a bill for an act to amend Subdivision Sixteen (16) of Section Six Hundred and Sixty-eight (668) of the Code, in relation to the duties of city council, and amending said Subdivision Sixteen (16) and making the same apply to cities of the second class.

Also:

Senate File No. 50, a bill for an act regulating the election or appointment of the directors or other persons by whom the affairs of corporations organized on the stock plan for transacting the business of life or fire insurance companies are to be conducted, so as to secure proportionate representation to minority stockholders, and providing for the election of directors nominated by a majority of the stockholders, additional to Chapters One (1), Four (4), Six (6), Seven (7) and Eight (8) of Title Nine (9) of the Code.

W. B. SEELEY,
Chairman.

Ordered passed on file.

Senator Seeley, 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. 261, a bill for an act to amend Senate File No. 22, as passed by the Thirty-second General Assembly February 8, 1907, and approved February 14, 1907, providing for the investment of funds of fraternal beneficiary societies, orders or associations.

Also:

Senate File No. 249, a bill for an act to amend Section Nine Hundred

and Fifty-five (955) of the Code, relating to the establishment, erection, purchase, lease, maintenance or operation of certain public utilities and the granting of franchises for the same, so as to include heating plants.

Also:

Senate File No. 245, a bill for an act directing the Custodian of Public Buildings and Property to prepare a case for the reception of flags carried by Iowa regiments during the Spanish-American war, and making appropriation therefor.

Also:

Senate File No. 171, a bill for an act to prohibit the taking or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of any corporation or joint stock association, which said statements or publications are intended to give, or shall have a tendency to give, a less or greater apparent value to the shares, bonds or property, or any part thereof, of said corporation or joint stock association than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor.

Also:

Senate File No. 10, a bill for an act to amend the law as it appears in Section Thirteen Hundred and Thirty-three-d (1333-d), Supplement to the Code, relating to State tax on gross receipts of insurance corporations and associations.

Also:

Senate File No. 262, a bill for an act to provide for sewer outlets and purifying plants, and the levy of a tax therefor in cities of the second class and towns.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 5, a bill for an act defining desertion, providing punishment therefor, and permitting a husband or wife to be a witness in such cases.

Also:

Senate File No. 38, a bill for an act prohibiting any corporation doing business within the State, or any officer, agent or representative thereof acting for such corporation, from giving or contributing any money, property, labor or thing of value, to any member of any political committee, party or employe thereof, or to any candidate for any office, for

campaign expenses or political purpose whatsoever, or to any person, partnership or corporation for the purpose of influencing or causing said person, partnership or corporation to influence any elector of the State to vote for or against any candidate for public office or candidate for nomination for any public office or to any public officer for the purpose of influencing his official action, and prohibiting any member of any political committee, party or employe thereof, or any candidate for any office from soliciting, requesting or knowingly receiving any such contribution from any corporation for campaign expenses or political purpose whatsoever, and providing a penalty for the violation thereof.

Also:

Senate File No. 290, a bill for an act to amend Subdivision Sixteen (16) of Section Six Hundred and Sixty-eight (668) of the Code, in relation to the duties of city council, and amending said Subdivision Sixteen (16) and making the same apply to cities of the second class.

Also:

Senate File No. 50, a bill for an act regulating the election or appointment of the directors or other persons by whom the affairs of corporations organized on the stock plan for transacting the business of life or fire insurance companies are to be conducted, so as to secure proportionate representation to minority stockholders, and providing for the election of directors nominated by a majority of the stockholders, additional to Chapters One (1), Four (4), Six (6), Seven (7) and Eight (8) of Title Nine (9) of the Code.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

Chairman House Committee.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 261, a bill for an act to amend Senate File No. 22, as passed by the Thirty-second General Assembly February 8, 1907, and approved February 14, 1907, providing for the investment of funds of fraternal beneficiary societies, orders or associations.

Also:

Senate File No. 249, a bill for an act to amend Section Nine Hundred and Fifty-five (955) of the Code, relating to the establishment, erection, purchase, lease, maintenance or operation of certain public utilities and the granting of franchises for the same, so as to include heating plants.

Also:

Senate File No. 245, a bill for an act directing the Custodian of Public Buildings and Property to prepare a case for the reception of flags carried by Iowa regiments during the Spanish-American war, and making appropriation therefor.

Also:

Senate File No. 171, a bill for an act to prohibit the taking or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of any corporation or joint stock association, which said statements or publications are intended to give, or shall have a tendency to give, a less or greater apparent value to the shares, bonds or property, or any part thereof, of said corporation or joint stock association than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor.

Also:

Senate File No. 10, a bill for an act to amend the law as it appears in Section Thirteen Hundred and Thirty-three-d (1333-d), Supplement to the Code, relating to State tax on gross receipts of insurance corporations and associations.

Also:

Senate File No. 262, a bill for an act to provide for sewer outlets and purifying plants, and the levy of a tax therefor in cities of the second class and towns.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 5, a bill for an act defining desertion, providing punishment therefor, and permitting a husband or wife to be a witness in such cases.

Also:

Senate File No. 38, a bill for an act prohibiting any corporation doing business within the State, or any officer, agent or representative thereof acting for such corporation, from giving or contributing any money, property, labor or thing of value, to any member of any political com-

mittee, party or employe thereof, or to any candidate for any office, for campaign expenses or political purpose whatsoever, or to any person, partnership or corporation for the purpose of influencing or causing said person, partnership or corporation to influence any elector of the State to vote for or against any candidate for public office or candidate for nomination for any public office or to any public officer for the purpose of influencing his official action, and prohibiting any member of any political committee, party or employe thereof, or any candidate for any office from soliciting, requesting or knowingly receiving any such contribution from any corporation for campaign expenses or political purpose whatsoever, and providing a penalty for the violation thereof.

Also:

Senate File No. 290, a bill for an act to amend Subdivision Sixteen (16) of Section Six Hundred and Sixty-eight (668) of the Code, in relation to the duties of city council, and amending said Subdivision Sixteen (16) and making the same apply to cities of the second class.

Also:

Senate File No. 50, a bill for an act regulating the election or appointment of the directors or other persons by whom the affairs of corporations organized on the stock plan for transacting the business of life or fire insurance companies are to be conducted, so as to secure proportionate representation to minority stockholders, and providing for the election of directors nominated by a majority of the stockholders, additional to Chapters One (1), Four (4), Six (6), Seven (7) and Eight (8) of Title Nine (9) of the Code.

W. B. SEELEY,
Chairman.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 261, a bill for an act to amend Senate File No. 22, as passed by the Thirty-second General Assembly February 8, 1907, and approved February 14, 1907, providing for the investment of funds of fraternal beneficiary societies, orders or associations.

Also:

Senate File No. 249, a bill for an act to amend Section Nine Hundred and Fifty-five (955) of the Code, relating to the establishment, erection, purchase, lease, maintenance or operation of certain public utilities and the granting of franchises for the same, so as to include heating plants.

Also:

Senate File No. 245, a bill for an act directing the Custodian of

Public Buildings and Property to prepare a case for the reception of flags carried by Iowa regiments during the Spanish-American war, and making appropriation therefor.

Also:

Senate File No. 171, a bill for an act to prohibit the taking or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of any corporation or joint stock association, which said statements or publications are intended to give, or shall have a tendency to give, a less or greater apparent value to the shares, bonds or property, or any part thereof, of said corporation or joint stock association than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor.

Also:

Senate File No. 10, a bill for an act to amend the law as it appears in Section Thirteen Hundred and Thirty-three-d (1333-d), Supplement to the Code, relating to State tax on gross receipts of insurance corporations and associations.

Also:

Senate File No. 262, a bill for an act to provide for sewer outlets and purifying plants, and the levy of a tax therefor in cities of the second class and towns.

W. B. SEELEY,
Chairman.

Adopted.

Senator Young moved that the time for adjournment be extended for the correction of the Journal.

Carried.

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

Senator Smith of Mitchell moved that we have an afternoon session.

Carried.

Senator Kinne moved that the Senate adjourn.

Carried.

Senate adjourned until 1:30 o'clock P.M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock, President Garst presiding.

On request of Senator Stookey, leave of absence was granted Senator Jamison of Clarke until Monday.

INTRODUCTION OF BILLS.

By Senator Turner, Senate File No. 343, a bill for an act to legalize the ordinances and amendments to ordinances passed by the town council of Nodaway, Iowa, acting as such officials.

WHEREAS, Doubts have arisen as to the legality of all the ordinances of the town of Nodaway, Iowa, and the amendments thereto, heretofore in force, and the acts of its officers thereunder; now, therefore.

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

THIRD READING OF BILLS.

On motion of Senator Kinne, Senate File No. 106, 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 passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Kinne moved the adoption of the following committee amendment:

Amend by striking out in Section One (1), lines seven and eight, the words and figures "Twelve Thousand Dollars (\$12,000.00)" and inserting in lieu thereof the words and figures "Ten Thousand Dollars (\$10,000.00)," and that it also be amended by striking out in same section, line ten, the words and figures "Three Thousand Dollars (\$3,000.00)" and inserting in lieu thereof the words and figures "Two Thousand Five Hundred Dollars (\$2,500.00)."

The bill, as amended, was read for information.

Senator Kinne moved the adoption of the following amendment:

Strike out the words and figures "sixteen thousand (16,000)" and insert in lieu thereof the words and figures "thirteen thousand five hundred (13,500)," Section One (1), line eleven, of the printed bill.

Adopted.

Senator Hughes moved the adoption of the following amendment to the title of the bill:

Amend by adding thereto "and for the extension of the State dam and dykes at Wall Lake."

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were :

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whiting, Wilson of Fayette, Young—35.

The nays were :

None.

Absent or not voting :

Senators Crossley, DeWolf, Dowell, Hopkins, Jackson, Jamieson of Page, Jamison of Clark, Lambert, McKlveen, Moon, Nichols, Saunders, Wade, Whipple, Wilson of Clinton—15.

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

On motion of Senator Peterson, Senate File No. 109, a bill for an act to amend the law as it appears in Chapter One (1), Title Nine (9) of the Code of 1897, relative to corporations for pecuniary profit, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Peterson moved the adoption of the following committee amendment :

Amend Section One (1) by inserting a comma after the word "Iowa" and before the word "shall" in the third line and adding between said words the following: "except building and loan associations as defined and provided for in Chapter Thirteen (13), Title Nine (9) of the Code."

Adopted.

The bill as amended was read for information.

Senator Peterson moved that the rule be suspended, 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:

Senator Allen, Bleakly, Bruce, Burgess, Clark, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Newberry, Peterson, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Warren, Whiting, Wilson of Fayette, Young—34.

The nays were:

None.

Absent or not voting:

Senator Crossley, DeArmand, DeWolf, Hopkins, Jamieson of Page, Jamison of Clarke, Lambert, McKlveen, Moon, Nichols, Saunders, Smith of Des Moines, Taylor, Wade, Whipple, 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 Stuckslager moved that when the Senate adjourn it be until 9 o'clock A.M. Monday.

Carried.

On motion of Senator Dunham, Senate File No. 272, a bill for an act additional to and amendatory of the law as it appears in Title Fourteen (14) of the Code, relative to rights of property and the conveyance thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Peterson moved that the time be extended for the completion of the argument of Senator Dunham.

Carried.

Senator Warren moved the adoption of the following amendment:

Amend Section Two (2) by adding thereto the following words after the last word in said section: "provided that the passage of this act shall not in any manner or under any circumstances be so construed as to impair or affect the vested rights of any person in or to any lands or estate acquired prior to the taking effect hereof."

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Kimmel, Kinne, McManus, Maytag, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Warren, Whiting, Wilson of Fayette, Young—35.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeWolf, Jamieson of Page, Jamison of Clarke, Jones, Lambert, McKlveen, Moon, Newberry, Nichols, Saunders, Stuckslager, Wade, Whipple, Wilson of Clinton—15.

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

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 340, a bill for an act amending Section Two Thousand and Fifty-one (2051) of the Code, relating to the conditional sale or lease of railroad or street railway equipment or rolling stock, so as to provide for the conditional sale or lease of power house and electrical equipment of interurban or street railways or of electric light and power companies or of steam heating companies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred

House File No. 290, a bill for an act for the better protection of farm lands from the infection of foul seeds and to require railroad corporations to cut and burn or otherwise destroy certain noxious weeds growing upon its right of way, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 362, a bill for an act repealing Sections Twenty-one Hundred and Sixty-five (2165) and Twenty-one Hundred and Sixty-six (2166) of the Code and enacting a substitute therefor, pertaining to express companies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 403, a bill for an act to enlarge the powers and further define the duties of the Board of Railroad Commissioners, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

First. Strike out the words "it is hereby," being the first three words of the enacting clause, and insert in lieu thereof the words "be it."

Second. Amend Section Two (2) by inserting the word "commission" after the word "commerce" in the sixth line thereof and by striking out the words "together with an" before the word "appeal" in the sixth line thereof and insert in lieu thereof the word "and," and by striking out the letters "ofr" in the beginning of the seventh line of said section and insert in lieu thereof the word "for."

And when so amended the bill do pass.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

Senator Bleakly, 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. 225, a bill for an act repealing Section 2881 of the Code, Chapter One Hundred and Fifteen (115) of the acts of the Twenty-eighth General Assembly, and Section Six (6) of Chapter One Hundred and Fourteen (114) of the acts of the Twenty-eighth General Assembly, relating to employes in the State library fixing their salaries and providing for their bonds, 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 following substitute be adopted in lieu thereof:

SUBSTITUTE FOR SENATE FILE NO. 225.

A BILL for an act repealing Section Two Thousand Eight Hundred and Eighty-one (2881) of the Code, Chapter One Hundred Fifteen (115) of the acts of the Twenty-eighth General Assembly and Section Six (6) of Chapter One Hundred Fourteen (114) of the acts of the Twenty-eighth General Assembly, relating to employes in the State Library, fixing their salaries and providing for their bonds, and enacting a substitute therefor.

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

SECTION 1. Section Two Thousand Eight Hundred and Eighty-one (2881) of the Code, Chapter One Hundred Fifteen (115) of the acts of the Twenty-eighth General Assembly, and Section Six (6) of Chapter One Hundred Fourteen (114) of the acts of the Twenty-eighth General Assembly, are hereby repealed.

SEC. 2. From and after the taking effect of this act the salary of the State Librarian shall be the sum of Two Thousand Four Hundred (\$2,400.00) Dollars per annum; of the curator of the museum and art gallery the sum of One Thousand Six Hundred (\$1,600.00) Dollars per annum, and of the assistant to librarian the sum of One Thousand Eight Hundred (\$1,800.00) Dollars per annum.

SEC. 3. As assistants (in addition to the curator of the museum and art gallery and the assistant to librarian) the State Librarian may employ one first assistant at an annual salary of One Thousand One Hundred (\$1,100.00) Dollars; one second assistant at an annual salary of One Thousand (\$1,000.00) Dollars, and one third assistant at an annual salary of Nine Hundred (\$900.00) Dollars.

SEC. 4. The board of trustees of the State Library at historical department may also select one assistant to the curator of the museum and art gallery at an annual salary of Twelve Hundred (\$1,200.00) Dollars.

SEC. 5. The State Librarian shall give bond in the sum of Five Thousand (\$5,000.00) Dollars, and the curator of the museum and art gallery and the assistant to librarian shall each give bond in the sum of One Thousand (\$1,000.00) Dollars, conditioned upon the faithful performance of their respective duties and a full and accurate accounting of all moneys coming into their hands in virtue of their respective offices. Said bonds shall be approved by the board of trustees of the State Library and Historical Department.

SEC. 6. The salaries provided for in this act shall be paid in monthly

installments out of any money in the State treasury not otherwise appropriated.

SEC. 7. This act shall take effect and be in full force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa.

And when so adopted the bill do pass.

JOHN L. BLEAKLY,
Chairman.

Substitute was read first and second time and passed on file.

INTRODUCTION OF BILLS.

By Senator Allen, Senate File No. 344, a bill for an act to amend Section Twenty-one Hundred and Sixteen (2116) of the Code, relating to the duties of railroads as to furnishing transportation.

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

By Senator Burgess, Senate File No. 345, a bill for an act to amend Section Twenty-five Hundred and Thirty-three (2533) of the Code, relating to the deputies of the State Veterinary Surgeon.

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

Senator Bruce moved that the rules be suspended for the purpose of considering Senate File No. 201.

Carried.

Senate File No. 201, a bill for an act to repeal the law as it appears in Section Thirteen Hundred and Forty-seven-a (1347-a) of the Supplement to the Code and Chapter Forty-eight (48), acts of the Thirtieth General Assembly, relating to the vocation of peddlers, defining the term peddlers so as to include transient merchants and itinerant vendors selling by sample or by taking orders for immediate or future delivery, and to enact a substitute therefor, was taken up and considered.

Senator Bruce moved that the Senate concur in the following House amendments:

Amend by striking from the title thereof the following words: "the law as it appears in Section Thirteen Hundred and Forty-seven-A

(1347-A) of the Supplement to the Code and.” Also the same words as they appear in Section One (1) of said bill, and the dollar marks and figures and parentheses wherever they appear in said bill.

Amend by adding following the word “production” in the last line of Section One (1) of said bill, the following words: “either by themselves or employes,” and to strike the word “Daily” from Section Two (2) of said bill.

Amend by striking the period at the end of line sixteen of the printed bill and inserting in lieu thereof a comma and adding the following: “not to local country merchants bona fide residents and tax payers of the region in which they are doing business.”

On the question, “Shall the Senate concur in the House amendments?”

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Mattes, Maytag, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Warren, Whiting, Wilson of Fayette, Young—36.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeWolf, Jamison of Clarke, Lambert, McKlveen, McManus, Moon, Newberry, Nichols, Saunders, Stuckslager, Wade, Whipple, Wilson of Clinton—14.

So the House amendments were concurred in.

Senator Dunham moved that the rules be suspended for the consideration of Senate File No. 181.

Carried.

Senate File No. 181, a bill for an act to amend Chapter Eleven (11) of the laws of the Thirtieth General Assembly, entitled “An act enlarging the powers of the district court, and to regulate the treatment and control of dependent, neglected and delinquent children (additional to Chapter Five (5) of Title Three (3) of the Code, relating to the district court)”, was taken up and considered.

Senator Dunham moved that the Senate concur in the following House amendments.

Amend Section Two (2), seventh line, last word in said line of original bill, strike out the word "shall" and insert the word "may."

Amend by adding to the end of Section Two (2) the following: "Any probation officer provided for by this section, when performing the duties of his office under the order of the juvenile court or a judge thereof, shall be allowed such necessary expenses as may be authorized by the judge of said juvenile court, and the same shall be paid out of the county treasury as other court costs."

On the question, "Shall the Senate concur in the House amendments?"

Senator Young was called to the chair at 2:35 o'clock.

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, McManus, Maytag, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Warren, Whiting, Wilson of Fayette, Young—36.

The nays were:

None.

Absent or not voting:

Senators Clark, Crossley, DeWolf, Jamison of Clarke, Lambert, McKlveen, Moon, Newberry, Nichols, Saunders, Stuckslager, Wade, Whipple, Wilson of Clinton—14.

So the House amendments were concurred in.

Senator Wilson of Fayette moved that the rules be suspended for the purpose of considering Senate File No. 157.

Carried.

Senate File No. 157, a bill for an act to repeal Section Twenty-five Hundred and Ninety-three (2593) of the Code, and to enact a substitute therefor, relating to the practice of pharmacy, was taken up and considered.

Senator Wilson of Fayette moved that the Senate concur in the following House amendments:

Amend by striking out the word "schedule" in line four of Section One (1) of the printed bill.

Amend by inserting after the word "dentist" in line twenty-two of Section One (1) the following: "Provided, that it shall not be necessary to keep a record in said book of sales of denatured alcohol and wood alcohol, when it is ascertained they are to be used for mechanical purposes."

Amend by striking out the last paragraph thereof and by inserting in lieu thereof as two separate paragraphs the following:

The obtaining of any such poisons by any person under a false name or statement shall be deemed a violation of the provisions of this act.

Any person violating any of the provisions of this act shall be adjudged guilty of a misdemeanor and be punished by a fine of not less than Twenty-five Dollars nor more than One Hundred Dollars, or by imprisonment in the county jail not more than thirty days.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Mattes, Maytag, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Warren, Whiting, Wilson of Fayette, Young—33.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeWolf, Dowell, Dunham, Jamieson of Page, Jamison of Clarke, Lambert, McKlveen, McManus, Moon, Newberry, Nichols, Saunders, Stuckslager, Wade, Whipple. Wilson of Clinton—17.

So the House amendments were concurred in.

On motion of Senator Turner, House File No. 197, a bill for an act to legalize the acts of the city council of Bedford, Taylor county, Iowa, in the adoption of the "Revised Ordinances" of said city, and establishing a permanent grade and annexation of territory thereto, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Turner moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, McManus, Mattes, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Whiting, Wilson of Fayette—33.

The nays were:

None.

Absent or not voting:

Senators Bruce, Crossley, DeWolf, Jamieson of Page, Jamison of Clarke, Lambert, McKlveen, Maytag, Moon, Newberry, Nichols, Saunders, Stuckslager, Wade, Warren, Whipple, Wilson of Clinton—17.

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

On motion of Senator Jackson, House File No. 156, a bill for an act to amend Section Seven Hundred and Seventy-one (771) of the Code Supplement and Section One (1) of Chapter Twenty-nine (29) of the acts of the Thirtieth General Assembly, relating to the construction of viaducts, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee, with substitute as amended, adopted.

Senator Jackson moved the adoption of the following committee amendment:

Amend by striking out the word "twenty-five" in the twelfth line of Section One (1) and inserting in lieu thereof the word "twelve."

Adopted.

Senator Jackson moved the adoption of the following committee amendment:

Amend by striking out the word "twenty-five" in the fourth and fifth lines of Section Two (2) and inserting in lieu thereof the word "twelve."

•

Adopted.

Senator Jackson moved the adoption of the following committee amendment:

Amend by striking from the second line of the title the words "Code Supplement" and inserting in lieu thereof the words "law as it appears in the Supplement to the Code."

Adopted.

The bill as amended was read for information.

Senator Jackson moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, DeArmand, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Warren, Whiting, Wilson of Fayette, Young—33.

The nays were:

None.

Absent or not voting:

Senators Burgess, Crossley, DeWolf, Dowell, Hopkins, Jamieson of Page, Jamison of Clarke, Lambert, McKlveen, Moon, Newberry, Nichols, Saunders, Stuckslager, Wade, Whipple, Wilson of Clinton—17.

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

Senator Bruce filed the following motion:

I move to reconsider the vote by which the Senate concurred in House amendments to substitute for Senate File No. 201.

JAS. E. BRUCE.

Senator Gale moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A.M. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, MARCH 25, A. D. 1907.

Senate met in regular session at 9 o'clock A.M., President Garst presiding.

Prayer was offered by the Rev. H. E. Van Horn of Des Moines.

On request of Senator Gilliland, leave of absence was granted Senator Jamison of Clarke for the day.

On request of Senator Taylor, leave of absence was granted Senator Bruce for the day.

On request of Senator Maytag, leave of absence was granted Senator Clark for the day.

On request of Senator Gilliland, leave of absence was granted Senator Whipple for the day.

On request of Senator Smith of Des Moines, leave of absence was granted Senator Lambert until tomorrow.

On request of Senator Hughes, leave of absence was granted Senator Seeley until tomorrow.

PETITIONS AND MEMORIALS.

Senator Dunham presented petitions of supervisors of Buchanan county and citizens of Delaware county favoring the passage of House File No. 438, relative to the length of term of office of county officials.

Referred to Committee on Judiciary.

Senator Frudden moved that the rules be suspended for the consideration of substitute for Senate File No. 25.

Carried.

THIRD READING OF BILLS.

On motion of Senator Frudden, Senate File No. 25, a bill for an act to repeal Section Three (3) of Chapter One Hundred and

One (101) of the laws of the Thirtieth General Assembly, and of Chapter One Hundred and Thirteen (113) of the laws of the Thirty-first General Assembly, relative to establishing and maintaining a State Board of Health laboratory at Iowa City, and enacting in lieu thereof the following, was taken up and considered.

Senator Frudden moved that the Senate concur in the following House amendment as substitute for Senate File No. 25 :

HOUSE AMENDED AND SUBSTITUTED BILL FOR SENATE FILE NO. 25.

A BILL for an act to repeal Section Three (3) of Chapter One Hundred and One (101) of the laws of the Thirtieth General Assembly, and for Chapter One Hundred and Thirteen (113) of the laws of the Thirty-first General Assembly, relative to establishing and maintaining a State Board of Health Laboratory at Iowa City, and enacting in lieu thereof of the following:

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

SECTION 1. That Section Three (3) of Chapter One Hundred and One (101) of the laws of the Thirtieth General Assembly and of Chapter One Hundred and Thirteen (113) of the laws of the Thirty-first General Assembly be and the same are hereby repealed and the following enacted in lieu thereof:

There is hereby appropriated out of any money in the State treasury not otherwise appropriated, for the purpose of more perfectly equipping the present bacteriological laboratory at the State University and for the purpose of enabling it to perform the duties hereby imposed, and to provide it with the necessary apparatus and assistants to render the same effective, the sum of Six Thousand Dollars (\$6,000.00) annually, or so much thereof as may be necessary, to be additional salary of the director, the assistants, the expenses of said laboratory as may be necessary by this act, including postage, stationery and other contingent and miscellaneous expenses which may be incurred in the maintaining of said laboratory and performing the duties required therein by the provision of this act. The director shall receive such additional salary, not to exceed Twelve Hundred Dollars (\$1,200.00) per year, as the State Board of Health may fix. The appropriations hereby provided shall be expended in the manner provided in Section Two Thousand Five Hundred and Seventy-five (2575) of the Code.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Burgess, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Frudden, Gilliland, Hughes,

Jackson, Jones, Kimmel, Kinne, Mattes, Newberry, Peterson, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuck-slager, Taylor, Turner, Warren, Whiting, Young—30.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, Crossley, Foley, Gale, Hopkins, Jamie-son of Page, Jamison of Clarke, Lambert, McKlveen, McManus, Maytag, Moon, Nichols, Saunders, Seeley, Wade, Whipple, Wil-son of Fayette, Wilson of Clinton—20.

So the amendments were concurred in.

Senator Jackson moved that the rules be suspended for the consideration of Senate File No. 215.

Carried.

On motion of Senator Jackson, Senate File No. 215; a bill for an act to amend the law as it appears in Sections Six Hundred and Seventy-nine-a (679-a), Six Hundred and Seventy-nine-f (679-f), Six Hundred and Seventy-nine-g (679-g) and Six Hun-dred and Seventy-nine-h (679-h) of the Supplement to the Code, relating to Board of Police and Fire Commissioners in certain cities of the first class and cities under special charter, and pro-viding for the taking effect thereof, was taken up and considered.

Senator Jackson moved that the Senate concur in the follow-ing House amendments:

Amend by striking out all of Section Four (4) and inserting in lieu thereof the following:

SEC. 4. The law as it appears in Section Six Hundred and Seventy-nine-h (679-h) of the Supplement to the Code is hereby amended by striking out the word "except" after the word "firemen" in line two thereof, and inserting in lieu thereof the word "including."

On the question, "Shall the Senate concur in the House amend-ments?"

The yeas were:

Senators Allen, Bleakly, Burgess, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Frudden, Gilliland, Hughes, Jackson, Jones, Kimmel, Kinne, Mattes, Peterson, Smith of Des Moines,

Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Whiting, Young—27.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, Crossley, Dunham, Foley, Gale, Hopkins, Jamieson of Page, Jamison of Clarke, Lambert, McKlveen, McManus, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton—23.

So the amendments were concurred in.

Senator Peterson moved that the rules be suspended for the consideration of Senate File No. 280.

Carried.

On motion of Senator Peterson, Senate File No. 280, 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, providing penalties for the violations thereof, and repealing Chapter Forty (40), laws of the Thirtieth General Assembly, and Chapters Forty-five (45) and Forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections, was taken up and considered.

Senator Peterson moved that the Senate do not concur in the following House amendments:

Amend by striking all after the word "offices" in the second line of Section One (1), down to and including the word "courts" in the third line of said section, and inserting after the comma following the word "November" in the fourth line of the same section the following: "except judges of the Supreme and District Courts."

Also amend by striking the comma following the word "Supreme" in the seventh line of Section Four (4) and inserting in lieu thereof the word "and;" and by striking the words "and Superior" following the word "District" in the same line of the same section.

Also amend Section Four (4) by inclosing the words "except judges of the Supreme and District Courts," as they occur in line

six of the bill, within parentheses; also to strike out the word "and" where it appears before the word "for" in the seventh line of said section.

Amend by striking the blank line after the comma following the word "street" in the sixty-fourth line of Section Ten (10); and by inserting in the place of the last comma in said line the word "of;" and by striking the comma following the word "county" in the sixty-fifth line of the same section and inserting in lieu thereof the word "of" and a blank line one-half inch in length.

Also amend by striking the letter "s" from the word "ballots" in line three of Section Fifteen (15).

Also by striking the word "thereof" in line four thereof and inserting in lieu of such word the words "of each of such ballots."

Also amend by inserting between the word "office" and the word "of," immediately following in the fifteenth line of Section Nineteen (19) the following: "to be filled by the voters."

Also amend by inserting between the word "offices" and the word "for," immediately following in the twenty-third line of Section Nineteen (19) the following: "to be filled by the voters of a county."

Also amend by changing the comma following the word "offices" in the sixth line of Section Twenty (20) to a period, and by striking the remainder of the sentence, to-wit: "except judges of the Supreme, District and Superior Courts."

Also amend by changing the period following the word "Assembly" in the ninth line of the same section to a comma and adding the following: "except in cases where said offices are filled by the voters of one county and no nomination resulted in the last preceding primary election as shown by the canvass by said board."

Also amend by striking out all after the semicolon following the word "represents" in the twenty-fourth line of Section Twenty-two (22) down to and including the last word of said section, and inserting in lieu thereof the following: "and shall also forthwith prepare a certificate as to the offices, separately, for which no candidate was nominated, together with the names of the several candidates for each of such offices voted for at the primary election and the number of votes received by each of such candidates and deliver such certificate to the chairman of the party central committee for the State, in case of offices to be filled by the voters of the State, and to the chairman of the party central committee for a district of the State, in case of offices to be filled by the voters of any such district of the State composed of more than one county, and if no such chairman is known to, or cannot be ascertained by, the said board, then such certificate may be delivered to any member of the party central committee for the State, or for any such district of the State, as the case may be."

Also amend by inserting between the comma following the word "council" and the word "his" in the eighth line of Section Twenty-three (23) the following: "or as certified to him by the proper persons when any person has been nominated by a convention."

Also amend by striking out of the sixth line of Section Twenty-five (25) the words "2 o'clock P.M." and to insert the words "11 o'clock A.M."

Amend by changing the period following the word "committee" in the third line from the top of page 939 of the Journal to a comma and adding the following: "and of the offices for which no nomination was made in the primary election."

Also amend by striking the word "county" from the seventh line from the top of said page and by inserting between the word "office" and the word "where" in the same line the following: "to be filled by the voters of a county."

Also amend by inserting between the word "hereof" and the word "and" in the ninth line from the top of the same page the following: "and shall nominate candidates for the office of Judge of the District Court in counties comprising one judicial district of the State."

Amend by adding to Paragraph One (1) of Section Twenty-six (26) the following: "In case no nomination was made in the primary election for the office of Senator in the General Assembly in districts composed of more than one county, or for the office of Representative in the Congress of the United States, as shown in the certificate issued by the State Board of Canvassers in manner and form provided in Section Twenty-two (22) of this act, then in any such districts the chairman of the party central committee therefor shall forthwith issue such call for a convention in such district and deliver the same to the County Auditor of each county in the district and in such case said call need not be published as aforesaid."

Also amend by striking out the period at the end of the first paragraph of Section Thirty-five (35) and adding "and cities acting under special charter, having a population of over fifteen thousand (15,000)."

Also amend Senate File No. 280 as printed in the Journal by adding at the end of Section Thirty-five (35), as a new paragraph, the following: "the entire expense of conducting a primary election provided for in this section shall be audited by the city council, and paid by the city."

On the question, "Shall the Senate not concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Burgess, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Mattes, Newberry, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whiting, Young—31.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, Crossley, DeArmand, Dowell, Gale,

Jamison of Clarke, Jones, Lambert, McKlveen, McManus, Maytag, Moon, Nichols, Seeley, Wade, Whipple, Wilson of Fayette, Wilson of Clinton—19.

So the Senate refused to concur in the House amendments.

Senator Gilliland moved that the rules be suspended for the consideration of House File No. 202.

Carried.

On motion of Senator Gilliland, House File No. 202, a bill for an act to amend Section One Thousand Three Hundred and Four (1304) of the Code, relating to exemptions for taxation, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Gilliland moved the adoption of the following committee amendment:

Amend by inserting after the word "institution" and before the word "as" in the fifth line of Section One (1) of the original bill the following words, to-wit: "of this state."

Further consideration of the bill was postponed.

Senator DeWolf moved that the rules be suspended for the purpose of considering substitute for Senate File No. 235.

Carried.

On motion of Senator DeWolf, Senate File No. 235, a bill for an act to protect trainmen and to regulate the stringing of wires over railroad tracks, and relative to the maintenance of such wires heretofore strung, was taken up and considered.

The substitute was read for information.

Senator DeWolf moved that the substitute be substituted for the original bill.

Carried.

Senator DeWolf moved that the rule be suspended, 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, Burgess, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Mattes, Maytag, Newberry, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Young—35.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, Clark, Crossley, Gale, Jamison of Clarke, Lambert, McIlveen, McManus, Moon, Nichols, Seeley, Whipple, Wilson of Fayette, Wilson of Clinton—15.

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

Senator Elerick moved that the rules be suspended for the consideration of House File No. 401.

Carried.

On motion of Senator Elerick, House File No. 401, a bill for act providing for the legalization of all ordinances, resolutions and rules enacted by the council of the town of Stockport, Van Buren county, Iowa, 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 Elerick moved that the rule be suspended and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Burgess, DeArmand, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Mattes, Maytag, Newberry, Peterson, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Young—33.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, Clark, Crossley, Dowell, Gale, Jamison of Clarke, Lambert, McKlveen, McManus, Moon, Nichols, Saunders, Seeley, Whipple, Wilson of Fayette, Wilson of Clinton—17.

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

Senator Smith of Mitchell movd that the rules be suspended for the consideration of House File No. 290.

Carried.

On motion of Senator Smith of Mitchell, House File No. 290, a bill for an act for the better protection of farm lands from the infection of foul seeds and to require railroad corporations to cut and burn or otherwise destroy certain noxious weeds growing upon their rights of way, 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 the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Newberry, Peterson, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Whiting, Young—34.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, Crossley, Gale, Jamison of Clarke, Lam-

bert, McKlveen, Moon, Nichols, Saunders, Seeley, Stuckslager, Warren, Whipple, Wilson of Fayette, 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 Whiting moved that the rules be suspended for the consideration of Senate File No. 305.

Carried.

On motion of Senator Whiting, Senate File No. 305, a bill for an act to amend Section Two Thousand One Hundred and Sixteen (2116) of the Code, relating to the duty of railways, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Whiting moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Crossley, DeWolf, Dowell, Dunham, Eckles, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, MeManus, Mattes, Newberry, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whiting, Young—34.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, DeArmand, Elerick, Gale, Jamison of Clarke, Lambert, McKlveen, Maytag, Moon, Nichols, Seeley, Stuckslager, Whipple, Wilson of Fayette, 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 Maytag moved that the rules be suspended for the consideration of Senate File No. 45.

Carried.

On motion of Senator Maytag, Senate File No. 45, a bill for an act to amend the law as it appears in Section Twenty-two Hundred and Eleven (2211) of the Supplement to the Code, and to amend Section Twelve (12) of Chapter Seventy-seven (77) of the acts of the Thirtieth General Assembly and Section Eighteen (18) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly and to repeal Section Fourteen (14) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly and to enact a substitute therefor and to provide for stoppage of compensation due officers and men of the Iowa National Guard for loss or damage to property issued them by the State for military purposes, with report of committee recommending passage, was taken up, considered, and the report of the Committee on Appropriations adopted.

The bill was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Crossley, DeArmand, Dunham, Eckles, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jamieson of Page, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Newberry, Peterson, Saunders, Smith of Des Moines, Stirton, Stookey, Turner, Wade, Warren, Whiting, Young—31.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, DeWolf, Dowell, Elerick, Gale, Jackson, Jamison of Clarke, Lambert, Moon, McKlveen, Nichols, Seeley, Smith of Mitchell, Stuckslager, Taylor, Whipple, Wilson of Fayette, Wilson of Clinton—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 Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 252, a bill for an act to reimburse the widow and heirs of the late J. W. Cliff for expenses incurred by him in his contest for the office of Secretary of the Senate of the Twenty-fourth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 252.

A BILL for an act to reimburse the widow and heirs of the late J. W. Cliff for expenses incurred by him in his contest for the office of Secretary of the Senate of the Twenty-Fourth General Assembly.

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, the sum of Five Hundred Dollars (\$500.00) to be paid to Mrs. J. W. Cliff, the widow of J. W. Cliff, deceased, to repay the expenses incurred by the said J. W. Cliff in his contest for his position as Secretary of the Senate of the Twenty-fourth General Assembly of the State of Iowa. The Auditor of State is hereby authorized and directed to draw his warrant on the State Treasurer in favor of the said Mrs. J. W. Cliff for the said sum, whenever she and the heirs of 'J. W. Cliff, or their lawful guardian, shall have filed in his office a receipt in full of all claims and demands that they may have, or claim to have, against the State of Iowa on account of expenses paid by the said J. W. Cliff in his contest for the position of Secretary of the Senate of the Twenty-fourth General Assembly of the State of Iowa.

And when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

The substitute was read first and second time and placed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 519, a bill for an act to amend the law as it appears in Title Fifteen (15), Chapter One (1) of the Code, relating to weights and measures, and inspection of weights and measures, providing for county and State inspection of scales, and making an appropriation for payment of State sealer, and providing for the punishment for violation of this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the

Senate with the recommendation that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 101, a bill for an act appropriating money to J. H. Cownie, Jr., R. R. McCutchen and F. M. Hubbell, as trustees, to reimburse them for the funds advanced and used in the purchase of a tract of land for the State as an addition to 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 do pass.

F. L. MAYTAG,
Chairman.

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 House File No. 266, a bill for an act to repeal Section Two Thousand Five Hundred and Seventy-eight (2578) of the Code, and to enact a substitute therefor, relating to the revocation of physicians' certificates, beg leave to report that they have 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 after the word "State," in the last line of Section Two (2), the following be added: "for such times as the State Board of Health may determine," and that the period after the said word "State" be stricken out and a comma inserted in lieu thereof.

And when so amended the bill do pass.

HENRY YOUNG,
Chairman.

Ordered passed on file.

Senator Smith of Mitchell, 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. 207, a bill for an act to repeal Sections Four Hundred and Fifty-eight (458) and Four Hundred and Fifty-nine (459) of the Code, and to enact a substitute therefor, relating to taxation of dogs and injuries to domestic animals, beg leave to report that they have had the same under consideration and have instructed me to report the same

back to the Senate with the recommendation that the same be re-referred to the Committee on Agriculture.

JAS. A. SMITH,
Chairman.

Adopted.

So the bill was re-referred to the Committee on Agriculture.

Senator Kinne, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 342, a bill for an act to repeal Section Fourteen Hundred and Eighty-three (1483) of the Code, relating to roads and highways, 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.

GEO. KINNE,
Chairman.

Ordered passed on file.

Senator Kinne, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 308, a bill for an act granting the use of public highways for the laying of water mains and pipes and the setting of electric wire poles 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 amended as follows:

Amend the title by striking out the words "and the setting of electric wire poles."

Amend Section One (1) by striking out the comma after the word "main" in the third line and insert in lieu thereof the word "and." Further amend Section One (1) by striking out of line three, after the word "pipes," the words "and erect its electric poles."

Further amend the bill by striking out all of Section Two (2).

And when so amended the bill do pass.

GEO. KINNE,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

Senate resumed consideration of House File No. 202, a bill for an act to amend Section Thirteen Hundred and Four (1304) of the Code, relating to exemption from taxation.

The amendment recommended by Committee on Ways and Means was adopted.

The bill as amended was read for information.

Senator Gilliland moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Burgess, Crossley, DeWolf, Dowell, Dunham, Eckles, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Kimmel, Kinne, McManus, Mattes, Maytag, Newberry, Peterson, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whiting—31.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, Clark, DeArmand, Jamieson of Page, Gale, Jones, Jamison of Clarke, Lambert, McKlveen, Moon, Nichols, Nichols, Saunders, Seeley, Stuckslager, Whipple, Wilson of Fayette, Young, Wilson of Clinton—19.

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

Senator Stookey moved that the rules be suspended for the consideration of Senate File No. 166.

Carried.

On motion of Senator Stookey, Senate File No. 166, a bill for an act to amend the law as it appears in Section Fifteen Hundred and Thirty (1530) of the Supplement to the Code by removing the semicolon after the word "council" in the twelfth line and by inserting after said word "council" "and the county treasurer shall pay to the city or town treasurer said fund," with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Stookey moved the adoption of the following committee amendment:

Amend by striking out all of that portion of the title to said bill after the word "Code" in the second line of said title and inserting after

the said word "Code" in the said second line thereof the following: "Relating to the payment by the county treasurers to the treasurers of cities and incorporated towns of that portion of the county road fund arising from the property within cities and incorporated towns."

Also that Section One (1) of said bill be amended by inserting after the word "council" in the fourth line of said section the words "the following."

Adopted.

Senator Stookey offered the following amendment:

I move to amend Senate File No. 166 and the committee amendments by substituting therefor the following:

SUBSTITUTE FOR SENATE FILE NO. 166 AND THE COMMITTEE AMENDMENTS
THERE TO.

A BILL for an act to amend the law as it appears in Section Fifteen Hundred and Thirty (1530) of the Supplement to the Code, as amended by Chapter Fifty-six (56) of the acts of the Thirty-first General Assembly, by adding to said section a provision requiring County Treasurers to pay county road funds arising in cities to the City Treasurers.

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

SECTION 1. That the law as it appears in Section Fifteen Hundred and Thirty (1530) of the Supplement to the Code, as amended by Chapter Fifty-six (56) of the acts of the Thirty-first General Assembly, be amended by adding after the period at the end of said section the following:

"Provided, however, any city may demand, by resolution duly passed by the city council, so much of the county road fund as arises from property within such city, and the County Treasurer, upon receiving a copy thereof, certified by the mayor, shall thereafter pay the said fund to the City Treasurer, who shall pay the same out, on order of the city council, for work and repairs upon the highways, as provided in the above section."

Substitute was read first and second time and passed on file.

Further consideration of the bill was postponed.

Senator McManus moved that the rules be suspended for the consideration of Senate File No. 167.

Carried.

On motion of Senator McManus, Senate File No. 167, a bill for an act to make Chapter Forty-eight (48) of the acts of the Twenty-eighth General Assembly, in relation to the keeping of a record of delinquent taxes applicable to cities acting under special charter, with report of committee recommending passage as amend-

ed by substitute, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Dowell was called to the chair at 10:20 o'clock.

Senator McManus moved that the committee substitute be substituted for the original bill.

Carried.

Senator McManus moved that the rule be suspended, 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:

Senator Bleakly, Burgess, Crossley, DeArmand, DeWolf, Dunham, Eckles, Ericson, Foley, Frudden, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Mattes, Maytag, Newberry, Peterson, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Young—33.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, Clark, Dowell, Jamison of Clark, Gale, Gilliland, Lambert, McKlveen, McManus, Moon, Nichols, Saunders, Seeley, Whipple, Wilson of Fayette, Wilson of Clinton—17.

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

Senator Eckles moved that the rules be suspended for the consideration of House File No. 1.

Carried.

On motion of Senator Eckles, House File No. 1, a bill for an act to amend the law as it appears in Section Four Hundred and Twenty-two (422) of the Code, and Section Sixteen Hundred and Sixty (1660) of the Code, relating to the purchase of land for county fair societies, with report of committee recommending

passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Eckles moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, McManus, Mattes, Maytag, Newberry, Peterson, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Young—34.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, Frudden, Gale, Jamison of Clarke, Jones, Lambert, McKlveen, Moon, Nichols, Saunders, Seeley, Stookey, Whipple, Wilson of Fayette, 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 Gilliland moved that the rules be suspended for the consideration of Senate File No. 11.

Carried.

Senate File No. 11, a bill for an act to repeal Section Two Thousand One Hundred and Thirteen (2113) of the Code, relating to the powers and duties of the Board of Railroad Commissioners, and enacting a substitute therefor, was taken up and considered.

The amendment was read for information.

Senator Gilliland moved that the Senate concur in the following House substitute amendment:

SUBSTITUTE AMENDMENT FOR SENATE FILE NO. 11.

A BILL for an act to repeal Section Twenty-one Hundred Thirteen (2113) of the Code, relating to the powers and duties of the Board of Railroad Commissioners, and enacting a substitute therefor.

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

SECTION 1. That Section Twenty-one Hundred Thirteen (2113) of the Code be, and the same is hereby repealed, and the following enacted in lieu thereof:

It shall from time to time carefully examine into and inspect the condition of each railroad, its equipment, and the manner of its conduct and management with regard to the public safety and convenience, in the State; make semi-annual examination of its bridges, and report the condition thereof to the company to which they belong; and if found by it unsafe, it shall immediately notify the railroad company, whose duty it is to put the same in repair, which shall be done by it within ten days after receiving such notice. If any corporation fails to perform this duty the board may forbid and prevent it from running trains over the same while unsafe. And should any railroad or transportation company in this State fail to provide proper shelter for its patrons at stations where two or more tracks are operated, the board may require such railroad or transportation company to provide the same in such manner and upon such conditions as it may determine. When, in the judgment of the board, any railway corporation fails in any respect to comply with the terms of its charter or articles of incorporation or the laws of the State; or when in its judgment any repairs are necessary upon its road, or any addition to its rolling stock, or addition to or change in its stations or station houses, or change in its rates of fare for transporting freight or passengers, or change in the mode of operating its road or conducting its business, is reasonable and expedient in order to promote the security, convenience, and accommodation of the public, the board shall serve a notice upon such corporation in the manner provided for the service of an original notice in a civil action, which notice shall be signed by its secretary, of the improvements and changes which it finds to be proper, and a report of such proceedings shall be included in its annual report to the Governor, as provided in the next section; but nothing in this section shall be so construed as relieving any railroad company from its responsibility or liability for damage to person or property.

On the question, "Shall the Senate concur in the House substitute amendment?"

The yeas were:

Senators Allen, Bleakly, Burgess, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Newberry, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Young—36.

The nays were :

None.

Absent or not voting :

Senators Bruce, Clark, DeWolf, Gale, Hopkins, Lambert, Jamison of Clarke, McKlveen, Moon, Nichols, Seeley, Whipple, Wilson of Fayette, Wilson of Clinton—14.

So the House amendments were concurred in.

Senator Stookey moved that the rules be suspended for the consideration of Senate File No. 315.

Carried.

On motion of Senator Stookey, Senate File No. 315, a bill for an act to repeal Section One Thousand Four Hundred and Sixty (1460) of the Code, relating to the statement by the Auditor of State of the County Treasurers' account with the Treasurer of State, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stookey moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Frudden, Gilliland, Hughes, Jackson, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Peterson, Saunders, Smith of Des Moines, Stirton, Stookey, Stuecklager, Taylor, Turner, Wade, Warren, Whiting, Young—33.

The nays were :

None.

Absent or not voting :

Senators Bruce, Clark, Foley, Gale, Hopkins, Jamieson of Page, Jamison of Clark, Lambert, McKlveen, Moon, Newberry,

Nichols, Seeley, Smith of Mitchell, Whipple, Wilson of Fayette, Wilson of Clinton—17.

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

Senator Gilliland moved that the rules be suspended for the consideration of Senate File No. 189.

Carried.

On motion of Senator Gilliland, Senate File No. 189, a bill for an act to regulate and tax persons taking orders for intoxicating liquors to be delivered in the future, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

Senator Smith of Mitchell moved that the rules be suspended for the consideration of House File No. 318.

Carried.

On motion of Senator Smith of Mitchell, House File No. 318, a bill for an act providing for reports and investigations of accidents on railways, 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 the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Frudden, Gilliland, Hughes, Jackson, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Newberry, Peterson, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Warren, Whiting, Young—32.

The nays were:

None.

Absent or not voting :

Senators Bruce, Clark, Foley, Gale, Hopkins, Jamieson of Page, Jamison of Clark, Lambert, McKlveen, Moon, Nichols, Saunders, Seeley, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton—18.

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

Senator Allen moved that the rules be suspended for the consideration of House File No. 420.

Carried.

On motion of Senator Allen, House File No. 420, a bill for an act to legalize the incorporation of the town of Humboldt (formerly Springvale), Humboldt, county, Iowa, the election of its officers, the passage, adoption and recording 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 Allen moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Frudden, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Newberry, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Turner, Wade, Warren, Whiting, Young—32.

The nays were:

None.

Absent or not voting :

Senators Bruce, Burgess, Clark, Foley, Gale, Gilliland, Hopkins, Jamison of Clarke, Lambert, McKlveen, Moon, Nichols,

Seeley, Stuckslager, Taylor, Whipple, Wilson of Fayette, Wilson of Clinton—18.

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

Senator Maytag moved that the rules be suspended for the consideration of Senate File No. 320.

Carried.

On motion of Senator Maytag, Senate File No. 320, a bill for an act to amend Section Twenty-two Hundred and Sixty-one (2261) of the Code, and all subsequent laws relating to the county commissioners of insanity, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

Senator Turner moved that the rules be suspended for the consideration of Senate Joint Resolution No. 5.

Carried.

Senate Joint Resolution No. 5, for the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate, was taken up and considered.

Senator Turner moved that the rule be suspended, the joint resolution be considered engrossed and read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were:

Senators Allen, Bleakly, Burgèss, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jones, Kimmel, Mattes, Maytag, Newberry, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Young—34.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, Gale, Hopkins, Jamieson of Page, Jamieson of Clarke, Kinne, Lambert, McKlveen, McManus, Moon, Nichols, Seeley, Whipple, Wilson of Fayette, Wilson of Clinton—16.

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

Senator Turner moved that the rules be suspended for the consideration of Senate File No. 330.

Carried.

On motion of Senator Turner, Senate File No. 330, a bill for an act relating to the sale of intoxicants in the vicinity of military reservations, and providing a penalty for the violation thereof, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Turner moved the adoption of the following committee amendment:

Amend by striking out the words "provided the same may be sold for sacramental or medicinal uses," in the fifth and sixth lines thereof, and that the same be further amended by striking out the words "military reservation or grounds used for military purposes in the," in the fourth line thereof, and inserting in lieu thereof the words "permanent military post or reservation established by the United State within the."

Adopted.

President Pro Tem. Smith was called to the chair at 11:10 o'clock.

Senator Dowell moved the adoption of the following amendment:

Strike out the word "two" in the third line of the bill and insert in lieu thereof the word "one."

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were :

Senators Allen, Bleakly, Crossley, DeWolf, Dowell, Dunham, Eekles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jones, McManus, Mattes, Maytag, Newberry, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Young—33.

The nays were :

None.

Absent or not voting :

Senators Bruce, Burgess, Clark, DeArmand, Jamison of Clarke, Gale, Hopkins, Kimmel, Kinne, Lambert, McKlveen, Moon, Nichols, Seeley, Whipple, Wilson of Fayette, Wilson of Clinton—17.

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 rules be suspended for the consideration of Senate File No. 318.

Carried.

Senate File No. 318, a bill for an act to amend Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly, relating to the definition of adulterated foods, and fixing standards for certain food products, was taken up and considered.

The bill was read for information.

Senator Newberry moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eekles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jones, Kinne, Mattes, Maytag, Newberry, Peterson, Saunders, Smith of Des

Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Wade, Warren, Whiting, Young—33.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, Gale, Hopkins, Jamison of Clarke, Kimmel, Lambert, McKlveen, McManus, Moon, Nichols, Seeley, Taylor, Turner, Whipple, Wilson of Fayette, Wilson of Clinton—17.

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

Senator Crossley moved that the rules be suspended for the consideration of Senate File No. 274.

Carried.

On motion of Senator Crossley, Senate File No. 274, a bill for an act to legalize the plat of W. O. Lee's addition to Maeksburg, Iowa, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Crossley moved the adoption of the following committee amendment:

Amend Section One (1) of said bill by adding thereto the following: "But nothing herein shall be construed to effect pending litigation."

Adopted.

Senator Crossley moved the adoption of the following amendment:

Amend Section One (1) by inserting after the figures "31" in line two the following words: "and as based upon the field notes and description of said plat thus surveyed, filed on page 12 of volume 31."

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Mattes, Newberry, Peterson, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Whiting, Young—33.

The nays were :

None.

Absent or not voting :

Senators Bruce, Clark, Gale, Hopkins, Lambert, McKlveen, McManus, Maytag, Moon, Nichols, Saunders, Seeley, Stuckslager, Warren, Whipple, Wilson of Fayette, Wilson of Clinton—17.

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

Senator Saunders moved that the rules be suspended for the consideration of Senate File No. 340.

Carried.

On motion of Senator Saunders, Senate File No. 340, a bill for an act amending Section Two Thousand and Fifty-one (2051) of the Code, relating to the conditional sale or lease of railroad or street railway equipment or rolling stock, so as to provide for the conditional sale or lease of power house and electrical equipment of interurban or street railways or of electric light and power companies or of steam companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The President resumed the chair at 11:55 o'clock.

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

On the question, "Shall the bill pass?"

The yeas were :

Senators Allen, Bleakly, Burgess, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of

Clarke, Jones, Kimmel, McManus, Mattes, Maytag, Newberry, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Young—35.

The nays were :

None.

Absent or not voting :

Senators Bruce, Clark, Dunham, Gale, Kinne, Lambert, McKlveen, Moon, Nichols, Seeley, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—15.

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 Young, Senate File No. 346, a bill for an act to amend Sections Two Thousand Five Hundred and Seventy-four (2574) and Two Thousand Five Hundred and Seventy-five (2575) of the Code, relative to the salary of the Secretary of the State Board of Health.

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

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

Senator Elerick moved that the Senate have an afternoon session.

Carried.

Senator Elerick moved that the Senate do now adjourn.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock, President Garst presiding.

Senator Gilliland moved that the rules be suspended for the consideration of Senate File No. 338.

Carried.

On motion of Senator Gilliland, Senate File No. 338, a bill for an act for the regulation and taxation of persons who shall maintain an office or place of business where intoxicating liquors are held in store and the purchase price thereof collected for the owner from the person to whom they have been conditionally sold, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Gilliland moved the adoption of the following committee amendment:

Amend Section One (1) of said bill by striking out the words and figures "of 1897" in the thirteenth line thereof.

Adopted.

The bill as amended was read for information.

Senator Gilliland moved that the rule be suspended, 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 Allen, Bleakly, Burgess, DeWolf, Dowell, Eckles, Elerick, Ericson, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Mattes, Maytag, Moon, Peterson, Saunders, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whiting, Wilson of Fayette, Young—33.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, Crossley, DeArmand, Dunham, Foley, Gale, Lambert, McKlveen, McManus, Newberry, Nichols, Seeley, Smith of Des Moines, Taylor, Whipple, Wilson of Clinton—17.

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

Senator DeWolf moved that the rules be suspended for the consideration of Senate File No. 236.

Senate File No. 236, a bill for an act defining the relations between employer and employe with respect to assumption of risk, and providing what shall constitute notice thereof, was taken up and considered.

Senator DeWolf moved that the Senate concur in the following House amendment:

Amend by striking out the word "and" in line eleven of the original bill as messaged from the Senate, and inserting the word "or" in lieu thereof.

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Allen, Bleakly, Burgess, DeArmand, DeWolf, Dowell, Eekles, Elerick, Ericson, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Moon, Peterson, Saunders, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whiting, Wilson of Fayette, Young—35.

The nays were:

None.

Absent or not voting:

Senator Bruce, Clark, Crossley, Dunham, Foley, Gale, Lambert, McKlveen, Newberry, Nichols, Seeley, Smith of Des Moines, Wade, Whipple, Wilson of Clinton—15.

So the amendment was concurred in.

REPORTS 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. 343, a bill for an act to legalize the ordinances and amendments to ordinances passed by the town council of Nodaway, Iowa, and to legalize all official acts of the town officials of Nodaway, 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.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 145, a bill for an act to legalize conveyances of real estate by executors, administrators, and guardians in this or foreign States, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend Section One (1) of said bill by striking out the figures "1886" in the first line thereof, and insert in lieu thereof the words and figures "Eighteen Hundred Seventy (1870)."

That Section One (1) be further amended by adding after the word "guardian" in the second line thereof, the words "duly appointed, qualified and."

That Section One (1) be further amended by striking out the words "in this State or" in the second line thereof.

That Section One (1) be further amended by striking out the figures "1887" in the seventh line thereof, and inserting in lieu thereof the words and figures "Eighteen Hundred Seventy-one (1871)."

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Turner moved that the rules be suspended for the consideration of Senate File No. 343.

Carried.

On motion of Senator Turner, Senate File No. 343, a bill for an act to legalize the ordinances and amendments to ordinances passed by the town council of Nodaway, Iowa, and to legalize all official acts of the town officials of Nodaway, Iowa, acting as such officials, 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, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, McManus, Mattes, Maytag, Moon,

Peterson, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Young—33.

The nays were :

None.

Absent or not voting :

Senators Bruce, Clark, Crossley, Dunham, Foley, Gale, Jamieson of Page, Jamison of Clarke, Kinne, Lambert, McKlveen, Newberry, Nichols, Saunders, Seeley, Whipple, Wilson of Clinton—17.

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

Senator Mattes moved that the rules be suspended for the consideration of House File No. 362.

Carried.

On motion of Senator Mattes, House File No. 362, a bill for an act repealing Sections Two Thousand One Hundred and Sixty-five (2165) and Two Thousand One Hundred and Sixty-six (2166) of the Code and enacting a substitute therefor, pertaining to express companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mattes moved the adoption of the following amendment :

Strike out the words "ninety days" in the first line of Section Four (4) and insert the words "six months" in lieu thereof.

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were :

Senators Allen, Bleakly, Burgess, DeArmand, DeWolf, Dowell,

Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuck-slager, Turner, Wade, Warren, Whiting, Wilson of Fayette, Young—37.

The nays were :

None.

Absent or not voting :

Senators Bruce, Clark, Crossley, Gale, Jamison of Clarke, Lambert, McKlveen, McManus, Nichols, Seeley, Taylor, Whipple, Wilson of Clinton—13.

So the bill have received a constitutional majority was declared to have passed the Senate and it 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 amended and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 164, a bill for an act to amend the law as it appears in Section Three (3), Chapter Fourteen (14), acts of the Thirty-first General Assembly, granting Township Trustees power to contract for use of public libraries.

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. 228, a bill for an act authorizing the board of trustees of free public libraries to unite with any local County Historical Association for the preservation and protection of articles of a historical or educational nature gathered by such association, and to expend money for the proper care of such collections.

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. 240, a bill for an act to amend Chapter One Hundred and Thirty-two (132) of the laws of the Thirtieth General Assembly of Iowa, entitled "An act prohibiting the willful taking of any electric current, gas or water from the wires, meters, pipes or any apparatus of any electric light, electric motor, gas or water plant, with intent to defraud, additional to Chapter Five (5), Title Twenty-four (24) of the Code," by making it applicable to steam heating plants and the taking of steam or steam heat.

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. 453, a bill for an act to legalize the action of the Independent School District of Star No. 6, of Center township, Wapello county, Iowa, and of the Independent School District of Ottumwa, Iowa, consolidating the former with and merging it in the latter.

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. 404, a bill for an act to amend Section Fifteen Hundred and Thirty (1530) of the Supplement to the Code, relating to county road fund, and how it is paid.

C. R. BENEDICT,
Chief Clerk.

Senator Gilliland moved that the rules be suspended for the consideration of Senate File No. 52.

Carried.

On motion of Senator Gilliland, Senate File No. 52, a bill for an act to regulate the disposition of certain intoxicating liquors received from express companies or other common carriers, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

Senator Gilliland moved that the rules be suspended for the consideration of Senate File No. 51.

Carried.

On motion of Senator Gilliland, Senate File No. 51, a bill for an act to prescribe the duties of express companies and other

carriers handling or delivering packages where the purchase price or any part thereof is collected on delivery and packages with the bill of lading attached, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

REPORT OF COMMITTEE.

Senator Gilliland, 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. 341, a bill for an act to amend the law as it appears in Section Eight Hundred and Fifty-two (852) of the Supplement to the Code, as amended by Chapter Thirty-four (34) of the laws of the Thirtieth General Assembly, authorizing the levy of an additional tax of one mill on the dollar on all taxable property for park purposes, relating to Park Commissioners, their powers and duties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

SHIRLEY GILLILLAND,
Chairman.

Adopted.

INTRODUCTION OF BILLS.

By Senator Gilliland, Senate File No. 347, a bill for an act granting to cities and towns power to regulate, define, tax and license public dance halls, skating rinks, fortune tellers, palmists and clairvoyants.

Read first and second time and placed on Calendar.

Senator Kinne moved that the Senate grant the use of the Senate Chamber for the purpose of holding an agricultural meeting this evening.

Carried.

Senator DeArmand moved that the rules be suspended for the purpose of considering Senate File No. 271.

Carried.

On motion of Senator DeArmand, Senate File No. 271, a bill for an act amending Section Two (2), Chapter One Hundred and Forty (140), laws of the Thirty-first General Assembly, relating

to the issue of school and refunding bonds, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of committee adopted.

Senator DeWolf moved the adoption of the following amendment:

Move to amend Section Three (3) of the bill by striking out the period at the end of said section and adding the following: "and shall be exempt from taxation."

The amendment was lost.

The substitute was read for information.

Senator DeArmand moved that the committee substitute be substituted for the original bill.

Carried.

Senator DeArmand moved that the rule be suspended, 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 Allen, Bleakly, Burgess, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Smith of Des Moines, Stirton, Stuckslager, Taylor, Warren, Whiting, Wilson of Fayette, Young—34.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, Crossley, Ericson, Gale, Lambert, McKlveen, McManus, Nichols, Seeley, Smith of Mitchell, Stookey, Turner, Wade, Whipple, 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 Bleakly filed the following motion to reconsider:

I move to reconsider the vote by which Senate File No. 45 passed the Senate at this morning's session.

JOHN L. BLEAKLY.

Senator Hopkins moved that the rules be suspended for the consideration of House File No. 130.

Carried.

On motion of Senator Hopkins, House File No. 130, a bill for an act to amend Section Three Hundred and Eight (308) of the Supplement to the Code as amended by Chapter Eleven (11), acts of the Thirty-first General Assembly, 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 Jones moved the adoption of the following amendment:

Strike the words "thirty-five" and figures "55" in line eleven, Section One (1), and insert in lieu thereof the words "thirty" and the figures "30."

Also strike the words "thirty-five" and figures "35" in line twelve, Section One (1), and insert in lieu thereof the words "thirty" and figures "30."

On the adoption of the amendment a roll call was demanded.

On the question, "Shall the amendment be adopted?"

Senator Peterson asked unanimous consent to be excused from voting on the bill under consideration on account of having a personal interest in its provisions.

Consent granted.

The yeas were:

Senators Burgess, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jamieson of Page, Jones, Saunders, Stirton, Stuckslager, Taylor, Wade, Young—18.

The nays were:

Senator Allen, Bleakly, DeArmand, Hopkins, Jackson, Jamison of Clarke, Kimmel, Kinne, Mattes, Maytag, Smith of Mitchell, Turner, Whiting, Wilson of Fayette—14.

Absent or not voting:

Senators Bruce, Clark, Crossley, DeWolf, Gale, Lambert, McKlveen, McManus, Moon, Newberry, Nichols, Peterson, Seeley,

Smith of Des Moines, Stookey, Warren, Whipple, Wilson of Clinton—18.

So the amendment was adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Mattes, Maytag, Moon, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Young—38.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, Crossley, Gale, Lambert, McKlveen, McManus, Nichols, Peterson, Seeley, Whipple, Wilson of Clinton—12.

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

Senator Smith of Mitchell moved that the rules be suspended for the consideration of House File No. 65.

Carried.

On motion of Senator Smith of Mitchell, House File No. 65, a bill for an act to safeguard the traveling public and employes upon railroads by limiting the hours of service of employes thereon, providing for the filing of complaints, the investigation thereof and the securing of evidence thereto (additional to Chapter Five (5), Title Ten (10) of the Code), with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Smith of Mitchell moved that the committee substitute be substituted for the original bill.

Carried.

The bill was read for information.

Senator Smith of Mitchell moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Mattes, Maytag, Newberry, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whiting, Wilson of Fayette, Young—36.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, Crossley, Gale, Jamison of Clarke, Lambert, McKlveen, McManus, Moon, Nichols, Seeley, Taylor, Whipple, Wilson of Clinton—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 received the following communication from the Governor:

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

A few years ago, the State purchased the southwest quarter of Section 27, Township 78, North of Range 24, West of the 5th P. M., for a camp ground for the Iowa National Guard, paying therefor in round numbers Twenty Thousand Dollars (\$20,000.00).

This quarter section lies just north of the United States Army Post. The site was selected largely to make it convenient for the members of the guard to use the post rifle range, which is situated a little further south. Since the purchase was made the Federal government has arranged an appropriation for the acquisition of rifle ranges in the various States for the use of the National Guard, and Iowa's allot-

ment of this appropriation is about Thirteen Thousand Dollars (\$13,000) per year. It has become my duty under the law of Congress and order of the War Department to recommend to the Secretary of War one or more sites for rifle ranges.

It is impossible to acquire one approximate to the camp grounds the State already owns and it is obvious that the camp ground and rifle range should be adjacent to each other. Investigation has developed two or three locations about ten miles northwest of Des Moines near the interurban railway and along the Des Moines river that can be secured and join the range and camp ground. The quarter section the State has can be sold for considerable more than was paid for it. The proceeds of such a sale, together with the appropriation of the general government available now, will enable the State and government to buy each for itself a camp ground and rifle range lying side by side and to improve both so that the guard would be much better served than with the present grounds. Options have been taken upon the land desired and it can be bought for substantially Eighty-five Dollars (\$85.00) per acre.

I therefore recommend the passage of a bill that will authorize the Governor, with the approval of the Executive Council, to sell the present camp grounds above described, and use the proceeds in the acquisition and improvement of another site. Respectfully submitted,

ALBERT B. CUMMINS.

March 25, 1907.

The communication was read and referred to the Committee on Military.

Senator Whiting moved that the rules be suspended for the consideration of Senate File No. 237.

Carried.

On motion of Senator Whiting, Senate File No. 237, a bill for an act providing for scales and the weighing of commodities transported in carload lots, and furnishing certificates of weight by common carriers, and providing penalties for the violation of this act, in addition to Chapter Seven (7), Title Ten (10) of the Code, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Whiting moved that the committee substitute be substituted for the original bill.

Carried.

The bill was read for information.

Senator Whiting moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Mattes, Maytag, Newberry, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Taylor, Wade, Warren, Whiting, Wilson of Fayette, Young—37.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, Crossley, Gale, Jamison of Clarke, Lambert, McKlveen, McManus, Moon, Nichols, Seeley, Whipple, 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 the rules be suspended for the consideration of Senate File No. 325.

Carried.

Senate File No. 325, a bill for an act to amend Section Five Hundred and Forty-three (543) of the Code, relating to the fees of county surveyors, was taken up and considered.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Burgess, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Mattes, Maytag, Newberry, Peterson, Smith of Des Moines, Stirton, Stookey, Stuckslager, Turner, Wade, Whiting, Wilson of Fayette, Young—30.

The nays were:

None.

Absent or not voting :

Senators Allen, Bruce, Clark, Crossley, DeArmand, Gale, Hopkins, Jamison of Clarke, Lambert, McKlveen, McManus, Moon, Nichols, Saunders, Seeley, Smith of Mitchell, Taylor, Warren, Whipple, Wilson of Clinton—20.

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

REPORT OF COMMITTEE.

Senator Bleakly, 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. 141, a bill for an act to amend Section Two Thousand Four Hundred and Eighty-three (2483) of the Supplement to the Code, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: Amend title by striking out the period after the last word in said title and adding the following thereto: "relating to salaries of mine inspectors," and when so amended the bill do pass.

JOHN L. BLEAKLY,

Chairman.

Ordered passed on file.

Senator DeWolf moved that the rules be suspended for the consideration of Senate File No. 193.

Carried.

On motion of Senator DeWolf, Senate File No. 193, a bill for an act providing for the inspection of steam boilers, generators, super-heaters, and creating the office of State Boiler Inspector and defining his duties thereunder, and providing penalties for violations thereof, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

The motion of Senator Bleakly to reconsider the vote by which Senate File No. 45 passed the Senate this morning was taken up and considered.

On the motion to reconsider, a roll call was demanded.

On the question, "Shall the motion prevail?"

The yeas were:

Senators Bleakly, DeWolf, Dowell, Dunham, Eckles, Elerick, Gilliland, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Smith of Des Moines, Stookey, Taylor, Wade—15.

The nays were:

Senators Allen, Burgess, Crossley, Ericson, Foley, Hughes, Kimmel, Kinne, Mattes, Maytag, Peterson, Smith of Mitchell, Stirton, Stuckslager, Turner, Warren, Whiting, Wilson of Fayette, Young—19.

Absent or not voting:

Senators Bruce, Clark, DeArmand, Frudden, Gale, Hopkins, Lambert, McKlveen, McManus, Moon, Newberry, Nichols, Saunders, Seeley, Whipple, Wilson of Clinton—16.

So the motion to reconsider was lost.

Senator Dowell moved that the rules be suspended for the consideration of Senate File No. 341.

Carried.

On motion of Senator Dowell, Senate File No. 341, a bill for an act to amend the law as it appears in Section Eight Hundred and Fifty-two (852) of the Supplement to the Code as amended by Chapter Thirty-four (34) of the laws of the Thirtieth General Assembly, authorizing the levy of an additional tax of one mill on the dollar on all taxable property for park purposes, relating to park commissioners, their powers and duties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Dowell moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland,

Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Mattes, Maytag, Moon, Newberry, Peterson, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Turner, Wade, Warren, Whiting, Wilson of Fayette, Young—33.

The nays were :

None.

Absent or not voting :

Senators Bruce, Clark, DeArmand, Gale, Hopkins, Jamison of Clarke, Jones, Lambert, McKlveen, McManus, Nichols, Saunders, Seeley, Stuckslager, Taylor, Whipple, Wilson of Clinton—17.

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

Senator Elerick moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A.M. tomorrow.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, MARCH 26, A. D. 1907.

Senate met in regular session at 9 o'clock A. M., President Garst presiding.

Prayer was offered by the Rev. Thomas Casady of Oelwein.

PETITIONS AND MEMORIALS.

Senator Wilson of Fayette presented petition of citizens of Clermont, Iowa, endorsing the "Jamieson-White" joint freight rate bill.

Referred to Committee on Railroads.

Senator Jones presented petitions of citizens of Rose Hill, Iowa, endorsing House File No. 438, relative to length of term of county officials.

Referred to Committee on Judiciary.

Senator Gilliland presented petition of citizens of Glenwood, Iowa, favoring the passage of House File No. 438, relating to length of term of county officers.

Referred to Committee on Judiciary.

Senator Smith of Des Moines presented petition of constituents endorsing House File No. 438, relating to length of term of county officers, and especially so far as it applies to clerk of the district courts.

Referred to Committee on Judiciary.

Senator Dunham presented petitions of citizens of Hazleton, Fairbank, Hopkinton, Ryan and Aurora, endorsing House File No. 438, to extend the length of term of county officials to four years.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Jackson, Senate File No. 348, a bill for an act to legalize the actions of certain homes for destitute or unfortunate women and orphans or abandoned children in certain cases and the amendment of articles of incorporation thereof.

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

HOUSE MESSAGES CONSIDERED.

House File No. 453, a bill for an act to legalize the action of the Independent School District of Star No. 6 of Center Township, Wapello county, Iowa, and of the Independent School District of Ottumwa, Iowa, consolidating the former with and merging it in the latter.

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

House File No. 240, a bill for an act to amend Chapter 132 of the laws of the Thirtieth General Assembly of Iowa, entitled "An act prohibiting the wilful taking of any electric current, gas or water from the wires, meters, pipes or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud (additional to Chapter Five (5), Title Twenty-four (24) of the Code)," by making it applicable to steam heating plants and the taking of steam or steam heat.

Passed on file.

Senate File No. 228, a bill for an act authorizing the board of trustees of free public libraries to unite with any local historical association for the preservation and protection of articles of a historical or educational nature gathered by such association, and to expend money for the proper care of such collection.

Passed on file.

House amended and passed Senate File No. 164, a bill for an act to amend the law as it appears in Section Three (3), Chapter Fourteen (14), acts of the Thirty-first General Assembly, granting township trustees power to contract for use of public libraries.

Passed on file.

House File No. 404, a bill for an act to amend Section One Thousand Five Hundred and Thirty (1530) of the Supplement to the Code, relating to county road fund and how it is paid out.

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

REPORTS OF COMMITTEES.

Senator Mattes, 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. 328, a bill for an act authorizing the employment of convict labor in the care of the State's property, 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 do pass.

JOS. MATTES,
Chairman.

Adopted.

Senator Smith of Mitchell, 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. 287, a bill for an act to amend the law as it appears in Section Sixteen Hundred and Ten (1610) of the Supplement to the Code, in relation to corporations for pecuniary profit, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be re-referred to the Judiciary Committee.

JAS. A. SMITH,
Chairman.

Adopted.

So the bill was re-referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Smith of Mitchell, Senate File No. 349, a bill for an act to repeal Section One Thousand Three Hundred and Forty-six-d (1346-d) of the Supplement to the Code, relating to the assessment of express companies for taxation, and to enact a substitute therefor.

Read first and second time and placed on calendar.

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. 334, a bill for an act appropriating the sum of One Hundred Fifty-one Dollars and Ninety Cents (\$151.90) to be paid to W. J. McAhren, in settlement of a claim against the State of Iowa, arising by reason of the efforts of the said W. J. McAhren to extradite one H. S. Green, beg leave to report that they 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.

CHAS. ECKLES,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 205, a bill for an act providing for special assessments for sidewalk and street improvements in cities and towns upon the right of way of any railroad company fronting or abutting upon a street, highway, avenue, alley, public ground, wharf, landing or market place the same as upon any land or lot therein, and providing for the collection thereof.

Also:

Senate File No. 289, a bill for an act to amend the law as it appears in Section Five (5), Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly, and to require assessors to report deaths occurring in their respective districts.

Also:

Senate File No. 314, a bill for an act to legalize certain ordinances and official acts of the town council of Mondamin, Harrison county, Iowa.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 205, a bill for an act providing for special assessments for sidewalk and street improvements in cities and towns upon the right of way of any railroad company fronting or abutting upon a street, highway, avenue, alley, public ground, wharf, landing or market place the same as upon any land or lot therein, and providing for the collection thereof.

Also:

Senate File No. 289, a bill for an act to amend the law as it appears in Section Five (5), Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly, and to require assessors to report deaths occurring in their respective districts.

Also:

Senate File No. 314, a bill for an act to legalize certain ordinances and official acts of the town council of Mondamin, Harrison county, Iowa.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 205, a bill for an act providing for special assessments for sidewalk and street improvements in cities and towns upon the right of way of any railroad company fronting or abutting upon a street, highway, avenue, alley, public ground, wharf, landing or market place the same as upon any land or lot therein, and providing for the collection thereof.

Also:

Senate File No. 289, a bill for an act to amend the law as it appears in Section Five (5), Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly, and to require assessors to report deaths occurring in their respective districts.

Also:

Senate File No. 314, a bill for an act to legalize certain ordinances and official acts of the town council of Mondamin, Harrison county, Iowa.

W. B. SEELEY,
Chairman.

Adopted.

Senator Maytag moved that the rules be suspended for the consideration of House File No. 143.

Carried.

On motion of Senator Maytag House File No. 143, a bill for an act to indemnify Charles H. Tribby for damages caused by sewage from the State Hospital for Insane at Mt. Pleasant, Iowa, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Maytag moved the adoption of the following committee amendment:

Amend by striking out the words and figures in the third and fourth lines of Section One (1) "One Thousand Five Hundred and Twelve Dollars and Eighty Cents (\$1,512.80)" and insert in lieu thereof the words and figures "One Thousand Fifty (\$1,050.00) Dollars."

Adopted.

Senator Seeley moved the adoption of the following amendment:

Amend Section Two (2) by striking out of the third and fourth lines thereof the words and figures "One Thousand Seven Hundred and Ninety-two Dollars and Sixty-six Cents (\$1,792.66) and inserting in lieu thereof the words and figures "One Thousand Fifty (\$1,050.00) Dollars."

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette—40.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, Crossley, Gale, Hopkins, McKlveen, Smith of Mitchell, Stirton, Wilson of Clinton, Young—10.

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

Senator Maytag moved that the rules be suspended for the consideration of House File No. 75.

Carried.

On motion of Senator Maytag, House File No. 75, a bill for an act making an appropriation for a swine barn with show ring upon the State Fair grounds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Nichols moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators—Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Young—39.

The nays were:

None.

Absent or not voting:

Senators Crossley, Dowell, Hopkins, Jones, McKlveen, Moon, Newberry, Smith of Mitchell, Stirton, 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.

Senator Gilliland moved that the Senate insist on its amendments to House File No. 171 and ask for a conference committee.

Carried.

The President announced as conference committee on House File 171 on the part of the Senate: Senators Saunders, Whipple, Jamison of Clarke, and Peterson.

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 recalls substitute for Senate File No. 10, a bill for an act to amend the law as it appears in Section Thirteen Hundred and Thirty-three-d (1333-d) of the Supplement to the Code, relating to State tax on gross receipts of insurance corporations 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. 79, a bill for an act providing for the compilation of a roster of Iowa soldiers, sailors and marines 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 of soldiers, sailors and marines of other states and territories living 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 insists upon its amendments to the following bill, in which the concurrence of the Senate was asked:

Senate File No. 280, 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, providing penalties for the violations thereof, and repealing Chapter Forty (40), laws of the Thirtieth General Assembly, and Chapters Forty-five (45) and Forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections, and requests a conference committee, and the Speaker of the House names as conference committee on the part of the House: Darrah of Lucas, Lee of Emmet, Holmes of Kossuth and McDonald of Carroll.

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. 111, a bill for an act relating to the organization and officers of cities and towns, amending Chapter Two (2), Title Five

(5) of the Code, and of the law as it appears in 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. 457, a bill for an act to create a commission to examine into the subject of taxation for State and local purposes, providing for their appointment, powers, and the report of their finding and recommendations 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 No. 286, a bill for an act re-appropriating money for the purchase of land for the State Hospital for Inebriates at Knoxville.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

The time having arrived for the special order, Senate File No. 15, a bill for an act to establish an insurance department and providing for an Insurance Commissioner, was taken up and considered.

The bill was read for information.

Senator Jamison of Clarke moved the adoption of the following amendment:

Insert as Section Six (6):

SEC. 6. Any party aggrieved by any ruling or decision of the said Insurance Commissioner may appeal to the Executive Council, by serving a notice of appeal in writing upon said Commissioner, who shall thereupon and within thirty days thereafter prepare a statement in writing of the matter in controversy and of his ruling or decision thereon, and file the same together with the original or certified copies of all papers and documents in his office pertaining thereto with the Secretary of said Executive Council; and said appeal shall be heard by said Council as soon thereafter as it may conveniently hear the same, and shall be determined by a majority vote of said Council. If the party appealing is unsuccessful, he shall pay all costs caused by said appeal.

Adopted.

Senator Warren moved the adoption of the following amendment as a substitute for the amendment recommended by the Committee on Appropriations:

Amend Senate File No. 15 by striking out the words and figures "Three Thousand Five Hundred Dollars (\$3,500.00)" in the twenty-fourth and twenty-fifth lines in Section Three (3) of the printed bill and insert in lieu thereof the words and figures "Four Thousand Dollars (\$4,000.00)."

The amendment was lost.

Senator Mattes moved the adoption of the following committee amendment:

Amend by striking out in Section Three (3), lines thirty-six and thirty-seven, the words and figures "Three Thousand Five Hundred (\$3,500.00) Dollars" and inserting in lieu thereof the words and figures "Three Thousand (\$3,000.00) Dollars."

On the adoption of the amendment a roll call was demanded.

On the question, shall the amendment be adopted:

The yeas were:

Senators Frudden, Jones, Kimmel, Kinne, Mattes, Nichols, Smith of Mitchell, Taylor, Wilson of Fayette, Wilson of Clinton, Young—11.

The nays were:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hughes, Jackson, Jamison of Clarke, Lambert, McManus, Moon, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Wade, Warren, Whipple—30.

Absent or not voting:

Senators Allen, Dunham, Hopkins, Jamieson of Page, McKlveen, Maytag, Newberry, Turner, Whiting—9.

So the amendment was lost.

Senator Hopkins moved the previous question.

Carried.

Senator Dowell moved that the time be extended until the bill under consideration be disposed of and for the correction of the Journal.

Carried.

Senator Jamison of Clarke moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, DeArmand, DeWolf, Dowell, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, McManus, Maytag, Moon, Peterson, Saunders, Seeley, Smith of Des Moines, Stookey, Stuckslager, Wade, Warren, Whipple, Whiting, Wilson of Clinton—29.

The nays were:

Senators Allen, Bruce, Clark, Crossley, Dunham, Eckles, Jones, Kimmel, Kinne, Lambert, Mattes, Newberry, Smith of Mitchell, Stirton, Turner, Wilson of Fayette, Young—17.

Absent or not voting :

Senators Burgess, McKlveen, Nichols, Taylor—4.

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

Senator Gale offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That the State Fish and Game Warden be and he is hereby directed to investigate the necessity of dredging the several lakes in this State which are used by the people for boating and fishing, and to ascertain the probable cost of the necessary machinery to do such dredging, and report thereon to the next General Assembly.

Laid over under the rules.

The President announced that he had signed in the presence of the Senate, Senate File Nos. 205, 289 and 314.

Senator Jackson moved that the Senate have an afternoon session.

Carried.

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

Senator Hughes moved that the Senate do now adjourn.

Carried.

Senate adjourned until 1:30 o'clock P.M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 P.M., President Garst presiding.

On request of Senator Frudden, leave of absence was granted Senator Foley until tomorrow.

On request of Senator Gale, leave of absence was granted Senator Elerick until tomorrow, on account of sickness.

HOUSE MESSAGES CONSIDERED.

House asks the recall of substitute for Senate File No. 10, a bill for an act to amend the law as it appears in Section One Thousand and Three Hundred and Thirty-three-d (1333-d) of the Supplement to the Code, relating to State tax on gross receipts of insurance corporations and associations.

Passed on file.

Substitute for House File No. 79, a bill for an act providing for the compilation of a roster of Iowa soldiers, sailors and marines 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 of soldiers, sailors and marines of other states and territories living in Iowa, and making an appropriation therefor.

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

House insists upon its amendments to Senate File No. 280, 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, providing penalties for the violations thereof, and repealing Chapter Forty (40), laws of the Thirtieth General Assembly, and Chapters Forty-five (45) and Forty-six (46), laws of the Thirty-first General Assembly, relating to primary elec-

tions, and requests a conference committee, and the Speaker of the House names as conference committee on the part of the House: Darrah of Lucas, Lee of Emmet, Holmes of Kossuth and McDonald of Carroll.

Senator Peterson moved that the President appoint a conference committee on Senate File No. 280.

Carried.

The President announced as such conference committee: Senators Crossley, Dunham, Peterson and Wilson of Fayette.

House amended and passed Senate File No. 111, a bill for an act relating to the organization and officers of cities and towns, amending Chapter Two (2), Title Five (5) of the Code, and of the law as it appears in the Supplement to the Code.

Passed on file.

House File No. 457, a bill for an act to create a commission to examine into the subject of taxation for State and local purposes, providing for their appointment, powers and the report of their findings and recommendations and making an appropriation therefor.

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

Senate File No. 286, a bill for an act re-appropriating money for the purchase of land for the State Hospital for Inebriates at Knoxville.

Passed on file.

Senator Moon moved that House File No. 453 be recalled from the Committee on Judiciary and placed on the Calendar.

Carried.

INTRODUCTION OF BILLS.

By Senator Jackson, Senate File No. 350, a bill for an act to amend the law as it appears in Section One (1), Chapter Eighty-five (85), acts of the Thirtieth General Assembly, relating to salary of Commissioner of Bureau of Labor Statistics and his Deputy.

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

Senator Jackson offered the following concurrent resolution:

Concurrent resolution relative to the repeal or revision of the present laws relating to the examination and certification of the teachers in the public schools of the State:

Resolved by the Senate, the House Concurring:

WHEREAS, The last session of this Legislature enacted a law relating to the qualification of County Superintendents, the examination and certification of teachers and the classification and registration of teachers' certificates, appearing as Chapter One Hundred and Twenty-two (122) of the acts of the Thirty-first General Assembly; and,

WHEREAS, Great hardship and detriment has resulted to the schools of the State on account of such legislation, and many schools therein are now without teachers on account of the radical measures contained in said laws; and,

WHEREAS, An emergency exists which may necessitate an extra session of the Legislature;

Resolved, That a committee of five be appointed, two by the President of the Senate and three by the Speaker of the House, to forthwith examine said laws and prepare the necessary bills to relieve the situation, and either repeal or amend said Chapter One Hundred and Twenty-two (122) of the Thirty-first General Assembly.

Laid over under the rules.

THIRD READING OF BILLS.

Senator Ericson moved that the rules be suspended for the consideration of Senate File No. 164.

Carried.

Senate File No. 164, a bill for an act to amend the law as it appears in Section Three (3), Chapter Fourteen (14), acts of the Thirty-first General Assembly, granting township trustees power to contract for use of public libraries, was taken up and considered, and the report of the committee, with substitute as amended, adopted.

Senator Ericson moved that the Senate concur in the following House amendments:

Amend title by adding the letter "s" to the word "Section" in the first line thereof, and inserting after the word "Sections" in the first line the words and figures "Two (2)" and the word "and."

Amend bill by inserting after the word "all" in fourth line the words and figures "of Section Two (2) and all."

Also amend Section One (1) of bill by adding the letter "s" to the word "Section" in the first line thereof, and by inserting after the

word "Sections" in first line the words and figures "Two (2)" and the word "and."

Amend publication clause by striking out the words "Daily Capital" and inserting "Des Moines Capital."

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, DeWolf, Dunham, Eckles, Ericson, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Moon, Newberry, Peterson, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Warren, Whipple, Whiting, Wilson of Fayette—33.

The nays were:

None.

Absent or not voting:

Senators Bruce, Crossley, DeArmand, Dowell, Elerick, Foley, Jamison of Clarke, McKlveen, Maytag, Nichols, Saunders, Smith of Des Moines, Taylor, Turner, Wade, Wilson of Clinton, Young—17.

So the amendments were concurred in.

Senator Dunham asked unanimous consent that Special Orders No. 2, 3 and 4 be postponed, and that Senate Files No. 255, 257 and 256 be made a special order for next Monday at 2 o'clock P.M.

Consent granted.

Senator Jamieson of Page moved that the rules be suspended for the consideration of House File No. 282.

Carried.

On motion of Senator Jamieson of Page, substitute for House File No. 282, a bill for an act to repeal Section Two Thousand One Hundred and Fifty-three (2153) and Two Thousand One Hundred and Fifty-five (2155) of the Code, relating to joint freight rates over two or more connecting lines of railway between points within this State and relating to the powers and duties of the Board of Railroad Commissioners, and to enact substitutes therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Jamieson of Page moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Ericson, Frudden, Gale, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were:

None.

Absent or not voting:

Senators Bruce, Elerick, Foley, Gilliland, Jamison of Clarke, McKlveen, Wade—7.

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

Senator Allen moved that the rules be suspended for the consideration of Senate File No. 76.

Carried.

Senate File No. 76, a bill for an act repealing Sections One Thousand Eight Hundred and Seventy-two (1872) and One Thousand Eight Hundred and 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, was taken up and considered.

Senator Young was called to the chair at 2:05 o'clock.

On the adoption of the following amendment offered by Senator Jackson, a roll call was demanded:

Amend the bill by inserting in Section One (1) as Sub-division

Fourteen (14) the following: "The total amount of liabilities to such association on the part of the directors thereof."

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Bleakly, Jackson, Jones, Lambert, Maytag, Moon, Nichols, Smith of Mitchell, Stookey, Turner, Warren—11.

The nays were:

Senators Allen, Clark, DeArmand, DeWolf, Dunham, Ericson, Gale, Hopkins, Hughes, Jamieson of Page, Kimmel, Mattes, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stuckslager, Whipple, Whiting, Wilson of Clinton, Young—22.

Absent or not voting:

Senators Bruce, Burgess, Crossley, Dowell, Eckles, Elerick, Foley, Frudden, Gilliland, Jamison of Clarke, Kinne, McKlveen, McManus, Newberry, Taylor, Wade, Wilson of Fayette—17.

So the amendment was lost.

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

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Ericson, Gale, Hopkins, Hughes, Jamieson of Page, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—37.

The nays were:

Senators Jones, Turner—2.

Absent or not voting:

Senators Burgess, Elerick, Foley, Frudden, Gilliland, Jackson, Jamison of Clarke, McKlveen, Moon, Stookey, Wade—11.

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. 455, a bill for an act to amend Chapter Eighty (80) of the acts of the Thirtieth General Assembly, relating to State Hospitals for Inebriates, and to furnish additional provision in regard to commitments to and release from such hospitals.

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. 351, a bill for an act to amend Section Thirteen (13) of Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly, relating to appropriation for the enforcement of pure food law.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

On motion of Senator Whipple, House File No. 294, a bill for an act to legalize the incorporation of the town of Clutier, Tama county, Iowa, the elections of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Whipple moved the adoption of the following committee amendments:

That Section One (1) be amended by inserting after the word "town" and before the word "be" in the sixth line thereof, the following words: "of a civil administrative character authorized under the laws of the State, to be done or undertaken by like officers."

Also:

That Section One (1) be further amended by striking out all after the word "with" in the ninth line thereof down to and including the word "same" in the fourteenth line thereof, and inserting in lieu thereof the following: "in such cases made and provided."

Adopted.

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

On the question, "Shall the bill pass?"

The yeas were :

Senators Bleakly, Burgess, Clark, Crossley, DeWolf, Dowell, Dunham, Eckles, Ericson, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—39.

The nays were :

None.

Absent or not voting :

Senators Allen, Bruce, DeArmand, Elerick, Foley, Jamieson of Page, McKlveen, Smith of Mitchell, Stuckslager, Wade, Whiting—11.

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

REPORTS OF COMMITTEES.

Senator Whipple, from the Committee on Insurance, submitted the following report :

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 286, a bil for an act to amend Section One Thousand Seven Hundred and Eighty-nine (1789) of the Code, relative to the assignment of life insurance policies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. P. WHIPPLE,
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. 159, a bill for an act to amend Chapter Six (6), Title Nine (9) of the Code, relating to the distribution of dividends on stock in stock companies writing participating life insurance policies, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following be substituted therefor:

SUBSTITUTE FOR SENATE FILE NO. 159.

A BILL for an act to amend Chapter Six (6) of Title Nine (9) of the Code, relating to the distribution of dividends on stock in stock companies writing participating life insurance policies.

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

That Chapter Six (6) of Title Nine (9) of the Code be and the same is hereby amended by adding thereto the following:

SECTION 1. That no stock life insurance company organized under the laws of the State of Iowa and operating under the provisions of this chapter and writing participating life insurance policies upon the level premium plan shall be permitted to declare and pay to its stockholders dividends from the surplus accumulations of such participating policies any dividends exceeding eight (8) per cent per annum of the face of such paid-up capital stock, provided that when the insurance in force by a company does not exceed Ten Million Dollars (\$10,000,000.00) dividends shall not be declared upon a capital in excess of One Hundred Thousand Dollars (\$100,000.00).

When the insurance in force exceeds Ten Million Dollars (\$10,000,000.00), but is not in excess of Twenty-five Million Dollars (\$25,000,000.00), dividends shall not be declared upon more than Two Hundred Thousand Dollars (\$200,000.00) capital stock.

When the insurance in force exceeds Twenty-five Million Dollars (\$25,000,000.00), but is not in excess of Fifty Million Dollars (\$50,000,000.00), dividends shall not be declared upon more than Three Hundred Thousand Dollars (\$300,000.00) capital stock.

When the insurance in force exceeds Fifty Million Dollars (\$50,000,000.00), but is not in excess of Seventy-five Million dollars (\$75,000,000), dividends shall not be declared upon more than Four Hundred Thousand Dollars (\$400,000.00) capital stock.

When the insurance in force exceeds Seventy-five Million Dollars (\$75,000,000.00), dividends shall not be declared upon more than Five Hundred Thousand Dollars (\$500,000.00) capital stock.

Sec. 2. And if such companies shall write both participating and non-participating policies, it shall not pay from the surplus earnings of such participating policies a greater portion of the eight (8) per cent dividends than such proportion of the surplus earnings upon the participating policies shall bear to the entire surplus.

And when so substituted the bill do pass.

W. P. WHIPPLE,
Chairman.

Substitute 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. 70, a bill for an act repealing Section Seventeen Hundred and Forty-six (1746) of the Code and enacting a substitute therefor, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. P. WHIPPLE,

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 House File No. 402, a bill for an act to limit the expenses, other than losses, of State mutual hail insurance associations and to limit the compensation to be paid to officers, agents and employes of such associations, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking from lines four and five of Section One (1) the words and period "one and one-half per cent" and substituting therefor the words "two per cent."

Striking Section Three (3) from the bill and re-numbering Sections Four (4), Five (5) and Six (6) so that they will appear as Sections Three (3), Four (4) and Five (5).

And when so amended the bill do pass.

W. P. WHIPPLE,

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. 337, a bill for an act to legalize the action of the independent school district of Star. No. 66 of Center township, Wapello county, Iowa, and of the independent school district of Ottumwa, Iowa, consolidating the former with and merging it in the latter, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAMES J. CROSSLEY,

Chairman.

Ordered passed on file.

Senator Stookey, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred House File No. 298, a bill for an act to amend the law as it appears in Chapter Twenty-two (22) of the acts of the Thirty-first General Assembly, in relation to construction and maintenance of hospitals, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

MARION F. STOOKEY,
Chairman.

Ordered passed on file.

Senator Stookey, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate File No. 333, a bill for an act to amend Chapter Eighty (80) of the acts of the Thirtieth General Assembly, relating to State Hospitals for Inebriates and to furnish additional provisions in regard to commitments to and release from such hospitals, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

MARION F. STOOKEY,
Chairman.

Ordered passed on file.

Senator Stookey, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate File No. 247, a bill for an act to create and establish a department of domestic science in the Institution for the Deaf at Council Bluffs, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

Also to further report that the committee gave to the Board of Control a hearing and the said board proposes to establish at the Institution for the Deaf a practical cooking school. With this understanding your committee makes above report for postponement.

MARION F. STOOKEY,
Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was re-referred Senate File No. 287, a bill for an act to aid in the acquisition of terminal

facilities and power for interurban railway 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 substitute attached hereto be adopted for the original bill and the substitute heretofore reported to the Senate:

SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE FILE NO. 287.

A BILL for an act to authorize and require street railways, and interurban railroads operating street railways, to permit interurban railroads to use their tracks and terminal facilities, and to furnish power to interurban railroads in cities, and providing for fixing the compensation therefor, and authorizing street railways to furnish power to interurban railroads.

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

SECTION 1. That all persons, firms or corporations now or hereafter owning or operating electric street railways in any city (including cities organized under special charters) or town of this State, are hereby authorized and required to permit the use for interurban business only but not for local street railway business, of such of their terminals, tracks, poles and wires as are located in the streets, alleys, and public places of said cities and towns, and such portions of their tracks, poles and wires as may cross property owned by said street railway companies in such cities and towns, by the passenger and combination baggage cars of interurban railway companies, for the transportation of passengers, mail, express and baggage; and said street railways shall furnish to said interurban railways, electric power for the operation of their cars and the transaction of their said business in said cities and towns; but said street railways shall not be required to furnish electric power except during such hours as their street railway cars may be in operation. Said interurban railways shall pay a reasonable compensation for the privileges and power that may be furnished them as above mentioned under this act. If an agreement for the use of the facilities so furnished and the compensation for the same cannot be made between the interested parties, the question as to the amount of such compensation and the conditions under which said facilities shall be furnished, used and operated, shall be heard and determined by the Board of Railroad Commissioners of the State of Iowa, on application to the said board by either party to the controversy, ten days' notice in writing of such application being served upon the opposite party, and any order entered by said Board of Railroad Commissioners, or court upon appeal, shall be subject to modification or review from time to time, as conditions change, by said Board of Railroad Commissioners upon notice being given as herein provided.

SEC. 2. Each party to the proceedings shall have the right to appeal to the District Court of the county where the street railway in question is located, from any order made by the Board of Railroad Commissioners under this act, which appeal shall be taken within twenty days from the date of the order appealed from, and shall be perfected by serving a notice of appeal upon the other parties to such proceeding and filing the same with the Secretary of the Board of Railroad Commissioners, and by

filing within twenty days from the date of such order a petition in the said District Court, stating the facts and asking the court to determine the matter in controversy. The court, or a judge thereof, if the petition is filed in vacation, shall thereupon appoint a commission to examine into the necessity of such proceeding and report the facts and his recommendations in such time as the court or judge may direct, and as soon as possible thereafter the court or judge shall appoint a time and place for the hearing of such petition. The proceedings shall be in equity and subject to all the rules of equity practice, except that the court shall require the issues to be made up at the first term after the petition is filed and give the proceedings precedence over other civil business and try the same thereat if possible. The action shall be triable de novo upon said appeal. No such appeal shall suspend the order appealed from if the interurban railway company on whose behalf said order is made shall file such bond for the payment of damages and costs as the District Court to which such appeal is taken, or a judge thereof, may order and require.

SEC. 3. Street railroad companies desiring so to do shall be authorized to furnish to interurban railway companies power for the operation of the cars of interurban railway companies outside of cities and towns, but no street railroad company shall be required to furnish such power.

SEC. 4. This act shall apply to those portions of the terminals, tracks, poles and wires of interurban railway companies which are located in the streets, alleys and public places of cities and towns and which are used by such companies for the transaction of a local street railway business; and where an interurban railway company has heretofore built tracks in a city or town used for street railway purposes, it may acquire the use of such tracks as may be necessary to complete a terminal loop, under the provisions of this act.

SEC. 5. All acts and parts of acts in conflict herewith are hereby repealed.

SEC. 6. The provisions of this act shall not affect any pending litigation.

SEC. 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 Capital, newspapers published in Des Moines, Iowa.

And when so substituted the bill do pass.

F. M. HOPKINS,
Chairman.

Substitute for Senate substitute was read first and second time and passed on file.

Senator Mattes, from the Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred House File No. 352, a bill for an act granting officers and guards at the penitentiaries at Anamosa and Fort Madison an annual vacation of fifteen days with pay, beg leave to report that they

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.

JOS. MATTES,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

Senator Saunders moved that the rules be suspended for the consideration of Senate File No. 198.

Carried.

On motion of Senator Saunders, Senate File No. 198, a bill for an act to amend Section One (1), Chapter Twenty-one (21) of the acts of the Thirtieth General Assembly of the State of Iowa, relating to the Compensation of County Recorders, and to amend Section Four Hundred and Ninety-six (496) of the Code, relating to the Compensation of Deputy County Recorders, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Saunders moved the adoption of the following committee amendment:

Strike out in line five of the original bill the words and figures "Sixteen Hundred Dollars (\$1,600.00)" and insert in lieu thereof the words and figures "Fifteen Hundred Dollars (\$1,500.00)."

Adopted.

Senator Saunders moved the adoption of the following committee amendment:

Strike out in line six the words and figures "Eighteen Hundred Dollars (\$1,800.00)" and insert in lieu thereof the words and figures "Sixteen Hundred Dollars (\$1,600.00)."

Adopted.

Senator Saunders moved the adoption of the following committee amendment:

Strike out in lines seven and eight the words and figures "Two Thousand Dollars (\$2,000.00)" and insert in lieu thereof the words and figures "Eighteen Hundred Dollars (\$1,800.00)."

Adopted.

Senator Saunders moved the adoption of the following committee amendment:

Strike out in line nine the words and figures "Twenty-two Hundred Dollars (\$2,200.00)" and insert in lieu thereof the words and figures "Two Thousand Dollars (\$2,000.00)."

Adopted.

Senator Saunders moved the adoption of the following committee amendment:

Strike out all of Section Two (2).

Adopted.

Senator Saunders moved the adoption of the following committee amendment:

Amend Section Three (3) by striking out the figure "3" after the word "section" in the first line and insert the figure "2" in lieu thereof.

Adopted.

Senator Saunders moved the adoption of the following committee amendment:

Amend the title by removing the semicolon after the word "Recorders" in the third line of the original bill and insert a period in lieu thereof and strike out all after the said word "Recorders."

Adopted.

The bill as amended was read for information.

Senator Saunders moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dunham, Ericson, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Kimmel, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Whiting, Wilson of Clinton, Young—35.

The nays were:

Senators Kinne, Smith of Mitchell, Turner, Whipple, Wilson of Fayette—5.

Absent or not voting :

Senators Dowell, Eckles, Elerick, Foley, Jamieson of Page, Jones, McKlveen, Taylor, Wade, Warren—10.

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

Senator Maytag moved that the rules be suspended for the consideration of Senate File No. 73.

Carried.

On motion of Senator Maytag, Senate File No. 73, 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 for the Iowa State University, erected in Eighteen Hundred and Ninety-seven (1897), with report of committee recommending passage, was taken up, considered, and the report of the Committee on Appropriations adopted.

Senator Maytag moved the adoption of the following amendments recommended by the Committee on Claims:

Amend Section One (1) as follows:

SECTION 1. There is hereby appropriated out of any funds in the State treasury not otherwise appropriated the sum of Four Thousand Five Hundred and One (\$4,501.50) Dollars and Fifty Cents, to be paid as follows:

To the Iowa City Lumber Company of Iowa City.....	\$508.41
To George W. Parker of Clinton, Iowa.....	770.10
To LeGrand Quarry Company of Marshall county.....	499.12
To A. E. Shorthill Company.....	268.73
To C. Hurley of Iowa City.....	396.44
To David Stephens of Iowa City.....	985.89
To John Volk & Company, of Rock Island, Illinois....	550.06
To the Platt Pressed & Fire Brick Co., Van Meter, Iowa	522.75

The State Auditor is hereby authorized and directed to issue warrants to each of the above named persons and companies for the respective amounts above stated.

Amend Section Two (2) by striking out the word "Daily" between the words "Des Moines" and "Capital" in the third line of said section.

Adopted.

The bill as amended was read for information.

Senator Wilson of Clinton moved that the rule be suspended,

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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Ericson, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Clinton, Young—43.

The nays were:

None.

Absent or not voting:

Senators Elerick, Foley, Jamieson of Page, Jones, McKlveen, Smith of Mitchell, Wilson of Fayette—7.

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 Turner, Senate File No. 351, a bill for an act to authorize the sale of the Southwest Quarter of Section Twenty-seven (27), Township Seventy-eight (78) north, Range Twenty-four (24) west of the 5th P. M., known as the camp ground of the Iowa National Guard, and to use the proceeds of the sale, or so much thereof as may be necessary, in the purchase and improvement of another camp ground for the said Guard.

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

THIRD READING OF BILLS.

Senator Crossley asked that the rules be suspended for the consideration of House File No. 251.

Carried.

On motion of Senator Crossley, House File No. 251, a bill for an act to legalize the incorporation of the town of Bridgewater,

Iowa, the election of its officers, the passage of its ordinances and resolutions and acts done by the city council in the adoption and enforcement of its ordinances and resolutions, with report of committee recommending passage as amended, was taken up and considered.

Senator Crossley moved that the Senate recede from its amendments to House File No. 251.

On the question, a roll call was demanded.

On the question, "Shall the Senate recede from its amendments?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, Crossley, DeArmand, DeWolf, Dunham, Eckles, Ericson, Frudden, Gale, Gilliland, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—37.

The nays were:

None.

Absent or not voting:

Senators Burgess, Dowell, Elerick, Foley, Hopkins, Jamieson of Page, Jamison of Clarke, McKlveen, McManus, Peterson, Smith of Mitchell, Stirton, Whiting—13.

So the Senate recesses from its amendments.

Senator Maytag moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, MARCH 27, A. D. 1907.

Senate met in regular session at 9 o'clock A.M., President Garst presiding.

Prayer was offered by Sergeant-at-Arms R. B. Huff of Muscatine.

On request of Senator Stuckslager, leave of absence was granted Senator Gale until Thursday.

PETITIONS AND MEMORIALS.

Senator Gilliland presented petition of citizens of Glenwood, Iowa, urging the passage of the proposed measure extending the term of county officials from two to four years.

Referred to Committee on Judiciary.

Senator Smith of Des Moines presented remonstrance of the Commercial Exchange of Burlington, Iowa, against Senate File No. 203 and its substitute.

Referred to Committee on Judiciary.

Senator Seeley presented remonstrance of Commerical Exchange of Burlington, Iowa, against Senate File No. 203 and proposed substitute for same.

Referred to Committee on Judiciary.

Senator Allen presented petition of citizens of Pocahontas county favoring the passage of House File No. 438, relative to length of term of county officials.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Hughes, Senate File No. 352, a bill for an act to amend Section Five Thousand Four Hundred and Forty-eight (5448) of the Code, in relation to the time in which an appeal may be taken in criminal cases.

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

By Senator Hughes, Senate File No. 353, a bill for an act relative to the procedure in courts of record in this State and providing as to what shall be required in order that a new trial be granted.

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

HOUSE MESSAGES CONSIDERED.

House File No. 455, a bill for an act to amend Chapter Eighty (80) of the acts of the Thirtieth General Assembly, relating to State Hospitals for Inebriates, and to furnish additional provision in regard to commitments to and release from such hospitals.

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

House File No. 351, a bill for an act to amend Section Thirteen (13), Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly, relating to appropriation for the enforcement of pure food law.

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

THIRD READING OF BILLS.

On motion of Senator Crossley, Senate File No. 302, a bill for an act to amend Section Two Thousand Eight Hundred and Twenty-three-F (2823-F) of the Supplement to the Code, relative to the enforcement of the law for compulsory attendance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Crossley moved the adoption of the following amendment:

Amend by changing the words and figures "Two Thousand Eight Hundred and Thirty-three-F (2833-F)" to the words and figures "Two Thousand Eight Hundred and Twenty-three-F (2823-F)" in the title of the bill.

Also change the words and figures "Two Thousand Eight Hundred and Thirty-three-F (2833-F)" to the words and figures "Two Thousand Eight Hundred and Twenty-three-F (2823-F) in Section One (1).

Adopted.

The bill as amended was read for information.

Senator Crossley moved that the rule be suspended, 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 Allen, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Ericson, Foley, Frudden, Gilliland, Hughes, Jamison of Clarke, Jones, Lambert, Mattes, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Stuckslager, Taylor, Turner, Whipple, Whiting, Wilson of Fayette, Young—31.

The nays were:

None.

Absent or not voting:

Senators Bleakly, Bruce, Elerick, Gale, Hopkins, Jackson, Jamieson of Page, Kimmel, Kinne, McKlveen, McManus, Maytag, Peterson, Smith of Mitchell, Stirton, Stookey, Wade, Warren, Wilson of Clinton—19.

So the bill having received a constitutional majority was declared to have passed the Senate and its title, as amended, agreed to.

Senator Moon moved that the rules be suspended for the consideration of House File No. 453.

Carried.

House File No. 453, a bill for an act to legalize the action of the independent school district of Star No. 6, of Cedar township, Wapello county, Iowa, and of the independent school dis-

trict of Ottumwa, Iowa, consolidating, the former with and merging it with the latter, was taken up and considered.

The bill was read for information.

Senator Moon moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jamieson of Page, Jamison of Clarke, Jones, Mattes, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—34.

The nays were:

None.

Absent or not voting:

Senators Bleakly, Bruce, Dunham, Elerick, Gale, Jakson, Kimmel, Kinne, Lambert, McKlveen, McManus, Peterson, Smith of Mitchell, Stirton, Stookey, Wade—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Gilliland moved that the rules be suspended for the consideration of Senate File No. 113.

Carried.

Senate File No. 113, a bill for an act relating to the board of public works in certain cities, repealing Sections Eight Hundred and Sixty-three (863) and Eight Hundred and Sixty-five (865) of the Code, and enacting substitutes therefor, and amending Sections Eight Hundred and Sixty-seven, (867), Eight Hundred and Seventy-one (871) and Eight Hundred and Seventy-three (873) of the Code, was taken up and considered.

Senator Gilliland moved that the bill be indefinitely postponed for the reason that its provisions are embodied in a bill which has passed the Senate.

Carried.

So the bill was indefinitely postponed.

Senator Moon moved that the rules be suspended for the consideration of Senate File No. 337.

Carried.

Senate File No. 337, a bill for an act to legalize the action of the independent school district of Star No. 6 of Center Township, Wapello county, Iowa, and the independent school district of Ottumwa, Iowa, consolidating the former and merging it in the latter, was taken up and considered.

Senator Moon moved that the bill be indefinitely postponed for the reason that the same provisions are embodied in a similar bill reported for passage.

Carried.

So the bill was indefinitely postponed.

Senator Young moved that the rules be suspended for the consideration of House File No. 266.

Carried.

House File No. 266, a bill for an act to repeal Section Twenty-five Hundred and Seventy-eight (2578) of the Code, and to enact a substitute therefor, relating to the revocation of physicians' certificates, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Young moved the adoption of the following committee amendment:

Amend as follows: That after the word "State" in the last line of Section Two (2) the following be added: "for such times as the State Board of Health may determine," and that the period after the said word "State" be stricken out and a comma inserted in lieu thereof.

Adopted.

The bill as amended was read for information.

Senator Gilliland moved that the further consideration of the bill be deferred until tomorrow.

Senator Young moved to amend by changing the time to Friday, March 29th, and that it be made a special order for that day at 10 o'clock A.M.

The amendment was adopted.

The motion as amended 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 Speaker of the House has named as conference committee on the part of the House on House File No. 171, a bill for an act to amend Section Thirteen Hundred and Seventy-three (1373) of the Code, relating to the correction of erroneous assessments: Hambleton of Mahaska, Teter of Marion, Feely of Black Hawk and Schulte of Clayton.

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 Senate is asked:

Senate File No. 212, a bill for an act to provide for the government of certain cities, amending Title V (5) of 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. 19, a bill for an act requiring manufacturers and dealers to label white lead, mixed paints, varnishes and similar compounds of linseed oil, defining linseed oil and boiled linseed oil, and fixing penalties for its violation, and repealing Sections Two Thousand Five Hundred and Ten-a (2510-a), Two Thousand Five Hundred and Ten-b (2510-b), Two Thousand Five Hundred and Ten-c (2510-c), Two Thousand Five Hundred and Ten-d (2510-d) and Two Thousand Five Hundred and Ten-e (2510-e) of the Supplement to the Code, and vesting the execution and enforcement of this act in the State 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 House was asked:

Substitute for Senate File No. 37, a bill for an act amendatory to the law as it appears in Chapter Sixty-eight (68) of the acts of the Thirtieth General Assembly and amendatory acts of the Thirty-first General Assembly, relating to levees, ditches, drains and watercourses, and amending Sections Two (2), Fourteen (14), Eighteen (18) and Nineteen (19) of said chapter, and providing for the place where ditches and drains shall be located; how appeals shall be tried in appellate court; for the employment of counsel to represent the drainage district in appellate courts; for the crossing of railroad rights of way; for the building of culverts and bridges at the place of crossing and payment of the cost thereof; for the assessment of benefits, and making the provisions of this act applicable to Chapter Two (2), Title Ten (10) 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. 155, a bill for an act to amend Section Three Thousand Four Hundred and Ninety-six (3496) of the Code, limiting the place in which actions may be brought upon contracts.

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. 173, a bill for an act relating to the powers of local boards of health, amending Section Two Thousand Five Hundred and Sixty-eight (2568) 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. 411, a bill for an act to amend Title Five (5), Chapter Nine (9) of the Code and amendments thereto, 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. 353, a bill for an act to amend the law as it appears

in Section Twenty-two Hundred and Eleven (2211) of the Supplement to the Code and Section Eighteen (18) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly and to repeal Section Twelve (12) of Chapter Seventy-seven (77) of the acts of the Thirtieth General Assembly, and Section Fourteen (14) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to enact substitutes therefor, and to provide for stoppage of compensation due officers and men of the Iowa National Guard for loss or damage to property issued to them by the State for military purposes.

C. R. BENEDICT,

Chief Clerk.

THIRD READING OF BILLS.

Senator Jamison of Clarke moved that the rules be suspended for the consideration of substitute for Senate File No. 252.

Carried.

Senate File No. 252, a bill for an act to reimburse the widow and heirs of the late J. W. Cliff for expenses incurred by him in his contest for the office of Secretary of the Senate of the Twenty-fourth General Assembly, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Jamison of Clarke moved that the committee substitute be substituted for the original bill.

Carried.

Senator Jamison of Clarke moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, De-Armand, Dowell, Dunham, Eekles, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Elerick, Gale, Jones, McKlveen, Moon, Peterson, Stookey, Whipple—9.

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 Seeley, 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. 1, a bill for an act to amend the law as it appears in Section Four Hundred and Twenty-two (422) of the Code, and Section Sixteen Hundred and Sixty (1660) of the Code, relating to the purchase of land for County Fair Societies.

Also:

House File No. 73, a bill for an act to amend the law as the same appears in Section Thirteen Hundred and Four-a (1304-a) of the Supplement to the Code, relating to the exemption of property from taxation.

Also:

House File No. 75, a bill for an act making an appropriation for a swine barn with show ring upon the State Fair Grounds.

Also:

House File No. 197, a bill for an act to legalize the acts of the city council of Bedford, Taylor county, Iowa, in the adoption of the "revised ordinances" of said city, and establishing a permanent grade and annexation of territory thereto.

Also:

House File No. 239, a bill for an act to amend Section Seventeen Hundred and Sixty-eight (1768) of the Code, relating to life insurance companies.

Also:

House File No. 140, a bill for an act to regulate the conduct of all employment offices or bureaus, and provide for the examination of such offices or bureaus, and fixing a penalty for the violation of the provisions thereof.

Also:

House File No. 275, a bill for an act to prohibit misrepresentations by life insurance companies.

Also:

House File No. 279, a bill for an act to repeal Section Eleven Hundred and Sixty-four (1164) of the Code, in relation to recording abstract of votes in the office of the Secretary of State, and to enact a substitute therefor.

Also:

House File No. 290, a bill for an act for the better protection of farm lands from the infection of foul seeds, and to require railroad corporations to cut and burn or otherwise destroy certain noxious weeds growing upon its right of way.

Also:

House File No. 318, a bill for an act providing for reports and investigations of accidents on railways.

Also:

House File No. 401, a bill for an act to legalize the adoption of all ordinances, resolutions and rules enacted by the council of the town of Stockport, Van Buren county, Iowa, and all acts done by the council of said town.

Also:

House File No. 420, a bill for an act to legalize the incorporation of the town of Humboldt (formerly Springvale), Humboldt county, Iowa, the election of its officers, the passage, adoption and recording of its ordinances and resolutions, and all acts done by the council of said town.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

Chairman House Committee.

Ordered passed on file.

THIRD READING OF BILLS.

Senator Saunders moved that the rules be suspended for the consideration of Senate File No. 287.

Carried.

Senate File No. 287, a bill for an act to aid in the acquisition of terminal facilities and power for interurban railway companies, with report of committee recommending a substitute for the substitute recommended in a former report, was taken up, considered, and the report of the committee adopted.

Senator Smith of Mitchell moved that the substitute for the substitute for Senate File No. 287 be adopted.

Carried.

The bill was read for information.

Senator Smith of Mitchell moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Ericson, Foley, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were :

None.

Absent or not voting :

Senators Elerick, Frudden, Gale, McKlveen, Peterson, Stookey, Turner—7.

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. 1, 73, 75, 140, 197, 239, 275, 279, 290, 318, 401, 420.

Senator Jamieson of Page moved that Senate File No. 202, a bill for an act to repeal Sections Two Thousand One Hundred and Fifty-three (2153) and Two Thousand One Hundred and Fifty-five (2155) of the Code, relating to joint freight rates over two or more connecting lines of railway between points within this State, and to enact substitutes therefor, be indefinitely postponed for the reason that it is identical with a bill passed by the House.

Carried.

So the bill was indefinitely postponed.

Senator Eckles moved that the rules be suspended for the consideration of Senate File No. 312.

Carried.

Senate File No. 312, a bill for an act to authorize cities and towns, including cities under special charter, to provide for the collection and disposal of garbage, and for payment for such service, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Eckles moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jamison of Clarke, Kinne, Mattes, Maytag, Moon, Newberry, Saunders, Seeley, Smith of Mitchell, Stirton, Stuckslager, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—33

The nays were:

Senators Jackson, Lambert, Nichols, Smith of Des Moines, Taylor—5.

Absent or not voting:

Senators Dunham, Elerick, Gale, Jamieson of Page, Jones, Kimmel, McKlveen, McManus, Peterson, Stookey, Wade, Young—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

House File No. 324, a bill for an act to repeal Chapter Ninety-eight (98), acts of the Thirty-first General Assembly, and to enact a substitute therefor, relative to the registration and publication of pedigrees, was taken up and considered.

The bill was read for information.

Senator Wilson of Fayette moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dunham, Eckles, Elerick, Ericson, Frudden, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, McManus, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Young—37.

The nays were:

None.

Absent or not voting:

Senators Allen, Dowwel, Foley, Gale, Gilliland, Jamison of Clarke, Jones, McKlveen, Mattes, Peterson, Stookey, Taylor, 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 Maytag, House File No. 288, a bill for an act making appropriations to the State Historical Society of Iowa, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Maytag moved the adoption of the following committee amendment:

Amend Section One (1) by striking out the words and figures "Six Thousand Dollars (\$6,000.00)" and insert in lieu thereof the words and figures "Four Thousand Five Hundred Dollars (\$4,500.00)."

That Section Two (2) be stricken from the bill and that Section Three (3) be made Section Two (2).

Adopted.

The bill, as amended, was read for information.

Senator Maytag moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Seeley, Smith of Des Moines, Stirton, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators Gale, Hopkins, Lambert, McKlveen, Peterson, Saunders, Smith of Mitchell, Stookey—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 Whipple, Senate File No. 326, a bill for an act to legalize certain ordinances and amendments to the ordinances passed by the city council of Tama, Tama county, Iowa, and to legalize all the official acts of the city officials of Tama, Tama county, Iowa, acting as such under said ordinances and amendments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Whipple moved that the rule be suspended, 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 Allen, Bleakly, Burgess, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones,

Kinne, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Stirton, Stuckslager, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—37.

The nays were :

None.

Absent or not voting :

Senators Bruce, Clark, Crossley, Foley, Gale, Kimmel, Lambert, McKlveen, Peterson, Smith of Mitchell, Stookey, Taylor, Wade—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 Whipple, House File No. 380, a bill for an act to legalize the incorporation of the town of Garwin, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Whipple moved the adoption of the following committee amendment :

Amend Section One (1) of said bill by striking out the word "be," appearing between the words "town" and "of," in the fifth line thereof.

Adopted.

The bill as amended was read for information.

Senator Whipple moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were :

Senators Allen, Bleakly, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Stirton, Stuckslager, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—39.

The nays were:

None.

Absent or not voting:

Senators Bruce, Crossley, Gale, Lambert, McKlveen, Moon, Peterson, Smith of Mitchell, Stookey, Taylor, Warren—11.

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 10:40 o'clock.

On motion of Senator Warren, Senate File No. 310, a bill for an act to give owners or keepers of stallions, jacks and bulls a lien for the service of such animal upon the offspring, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

On motion of Senator McManus, Senate File No. 323, a bill for an act to legalize the acts and resolutions passed by the Board of Supervisors of Lee county, Iowa, allowing a certain person appointed to collect delinquent personal tax a commission in addition to the five (5) per cent provided by statute, 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. 136, a bill for an act to amend Section Fourteen (14), Chapter One Hundred and Sixty-six (166) of the laws of the Thirty-first General Assembly, relating to the sale of canned goods, was taken up and considered.

Senator Whipple moved that the Senate concur in the following House amendments:

Amend by inserting the words "that the law as it appears in" after the period preceding the word "Section" in line one of Section One (1).

Also amend by inserting the word "hereby" after the word "is" in the second line of Section One (1).

Also amend by striking out the words "and peas" following the word "corn" in the sixth line of the original bill.

Also amend by inserting the words "be and the same" after the word "Assembly" in the second line of Section One (1).

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Burgess, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, Crossley, Gale, Lambert, McKlveen, Peterson, Stookey, Taylor—9.

So the amendments were concurred in.

On motion of Senator Turner, House File No. 63, a bill for an act to repeal Section Two Thousand and Fifty-seven (2057) of the Code, relating to fences required to be constructed by railroad companies, and enacting a substitute therefor, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Turner moved the adoption of the following committee amendment:

Strike out of line ten of Section One (1) the words "and private" between the words "public" and "road."

Adopted.

Senator Turner moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dunham, Eckles, Elerick, Ericson, Frudden,

Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—38.

The nays were :

None.

Absent or not voting :

Senators Dowell, Foley, Gale, Gilliland, Hopkins, Jamison of Clarke, McKlveen, Peterson, Saunders, Stookey, Taylor, Young—12.

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 relating to the organization and officers of cities and towns, amending Chapters Two (2) and Nine (9), Title Five (5) of the Code, and of the law as it appears in the Supplement to the Code, and providing for the appointment of a board of public works and defining its duty and providing a penalty for the violation of the provisions of this act, was taken up and considered.

Senator Gilliland moved that the Senate concur in the following House amendments :

Amend by inserting after the word "councilmen" and before the word "expiring" in the seventh line of Section Three (3) thereof the words "and officers." And by inserting after the word "councilmen" and before the word "expiring" in the ninth line of said Section Three (3) the words "and officers." And by inserting after the word "councilmen" and before the word "shall" in the nineteenth line of said Section Three (3) the words "and officers."

Also amend by striking out all of Section Three (3) thereof after the word "years" in the twenty-first line as printed in the Journal, and inserting in lieu thereof the following :

In towns in which a mayor is elected in the even numbered years the officers and councilmen shall be elected under the provisions of this act in the year 1910, and the councilmen and officers to be elected in 1908 shall be elected for a term of two years, and the term of councilmen and officers whose terms expire in 1909 shall be extended one year.

In towns in which a mayor is elected in odd numbered years the officers and councilmen shall be elected under the provisions of this act in 1911, and the councilmen and officers to be elected in 1908 shall be elected for a term of three years. The councilmen and officers to be elected in 1909 shall be elected for two years, and the term of councilmen and

officers whose term expires in 1910 shall be extended one year. All town officers elected in 1910 or 1911, as the case may be, and thereafter under the provisions of this act, shall be elected for the term of two years.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Mattes, Maytag, Moon, Newberry, Nichols, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—37.

The nays were:

None.

Absent or not voting:

Senators Allen, Crossley, DeArmand, DeWolf, Gale, Jamison of Clarke, Lambert, McKlveen, McManus, Peterson, Saunders, Stucklagger, Taylor—13.

So the Senate concurs in the House amendments.

On motion of Senator Mattes, House File No. 269, a bill for an act to amend Section Two Thousand Four Hundred and Fifty-two (2452) of the Code of Iowa, relating to the publication of notice of the securing of petitions of general consent, with report of committee recommending indefinite postponement, was taken up and considered.

On the adoption of the report of the committee recommending indefinite postponement, a roll call was demanded.

On the question, "Shall the report of the committee be adopted?"

The yeas were:

Senators Bruce, Burgess, DeArmand, DeWolf, Dowell, Foley, Frudden, Jackson, Jamieson of Page, Jones, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Saunders, Smith of Des Moines, Stirton, Wade, Wilson of Fayette, Wilson of Clinton—22.

The nays were :

Senators, Allen, Bleakly, Clark, Crossley, Dunham, Eckles, Ele-
rick, Ericson, Gilliland, Hopkins, Hughes, Kimmel, Kinne,
Nichols, Seeley, Smith of Mitchell, Turner, Whipple, Whiting,
Young—20.

Absent or not voting :

Senators Gale, Jamison of Clark, McKlveen, Peterson, Stookey,
Stuckslager, Taylor, Warren—8.

So the report of the committee was adopted and the bill was
indefinitely postponed.

On motion of Senator Kimmel, House File No. 389, a bill for
an act amendatory of and additional to Chapter Fifteen (15) of
the Code and Supplement to the Code, relative to the care and
propagation of fish, with report of committee recommending pass-
age as amended, was taken up, considered, and the report of the
committee adopted.

Senator Kimmel moved the adoption of the following committee
amendment:

Amend by adding to Section Two (2) of the bill the following: "Pro-
vided, that no seine or net with less than a two and one-fourth inch mesh
shall be licensed or used for fishing, under this act, after April 1st,
1908.

Adopted.

Senator Jackson moved the adoption of the following amend-
ment:

Amend Section Two (2) by inserting the words "Big Sioux" at the end
of line one in the printed bill.

Adopted.

Senator Lambert moved the adoption of the following amend-
ment:

Strike out the word "April" in the last line of Section Two (2) and
insert in lieu thereof the word "March."

Adopted.

Senator Bleakly moved the adoption of the following amend-
ment:

Add the letter "e" to the word "us" in the sixth line of the original bill.

Adopted.

Senator Kimmel moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

None.

Absent or not voting:

Senators Clark, Crossley, Dunham, Gale, Hopkins, McKlveen, Nichols, Peterson, Stookey, Taylor—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Kimmel moved that Senate File No. 296, a bill for an act amendatory of and additional to Chapter Fifteen (15) of the Code and Supplement to the Code, relative to the care and propagation of fish, be indefinitely postponed, for the reason that it is identical with House File No. 389, which has just passed the Senate.

Carried.

So the bill was indefinitely postponed.

Senator Ericson moved that House File No. 141, a bill for an act to amend Section Two Thousand Four Hundred and Eighty-three (2483) of the Supplement to the Code, be referred to the Committee on Appropriations.

Carried.

REPORTS OF COMMITTEE.

Senator McKlveen, from the Committee on Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Pharmacy, to whom was referred Senate File No. 327, a bill for an act to amend the law as it appears in Chapter One Hundred and Fifteen (115), Section Three (3) of the acts of the Thirty-first General Assembly, relating to examination and registration of pharmacists, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

J. A. MCKLVEEN,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator McKlveen, from the Committee on Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Pharmacy, to whom was referred House File No. 424, a bill for an act to prevent the throwing or depositing of drugs or medicines as sample or otherwise in private or public places, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. A. MCKLVEEN,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

Senator Maytag moved that the rules be suspended for the consideration of Senate File No. 334.

Carried.

Senate File No. 334, a bill for an act appropriating the sum of One Hundred and Fifty-one Dollars and Ninety Cents (\$151.90) to be paid to W. J. McAhren in settlement of a claim against the State of Iowa, arising by reason of the efforts of the said W. J. McAhren to extradite one H. S. Green, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Burgess, Clark, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Gilliland, Hughes, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stueckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—38.

The nays were:

None.

Absent or not voting:

Senators Bleakly, Bruce, Crossley, Dunham, Frudden, Gale, Hopkins, Jackson, McKlveen, Peterson, Stookey, Taylor—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Gilliland moved that the rules be suspended for the consideration of House File No. 278.

Carried.

House File No. 278, a bill for an act authorizing towns and cities, including cities under special charter, to appropriate money to pay dues in the League of Iowa Municipalities, and to pay the actual expense of delegates to the meetings of such league, additional to Chapter Three (3), Title Five (5) of the Code, with report of committee recommending passage, was taken up, considered, and the report of the Committee on Cities and Towns adopted.

The bill was read for information.

Senator Gilliland moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Clark, DeArmand, DeWolf, Eckles, Ericson, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Kinne, Mattes, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—30.

The nays were:

None.

Absent or not voting:

Senators Bleakly, Bruce, Burgess, Crossley, Dowell, Dunham, Elerick, Foley, Frudden, Gale, Hopkins, Jones, Lambert, Mc-Klveen, McManus, Peterson, Smith of Mitchell, Stookey, Taylor, Young—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 Allen, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred concurrent resolution providing for publication of report and history of the Southern Battlefields Commission, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Strike out the figures "10,000" in the second line after the enacting clause and insert the figures "7,000" in lieu thereof.

And when so amended the bill do pass.

JOS. H. ALLEN,
Chairman.

Ordered passed on file.

Senator Allen, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred House File No. 323, a bill for an act to amend Section Number Fifteen Hundred and Sixty-six-a (1566-a), Supplement to the Code, relating to publications of reports, beg leave to report that they have had the same

under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JOS. H. ALLEN,
Chairman.

Adopted.

So the bill was indefinitely postponed.

INTRODUCTION OF BILLS.

By Senator Allen, Senate File No. 354, a bill for an act defining, regulating and conferring rights and powers upon automobile railways, additional to Chapter Four (4), Title Ten (10) of the Code.

Read first and second time and referred to Committee on Railroads.

By Senator Seeley, Senate File No. 355, a bill for an act authorizing the State Board of Control of the State of Iowa to grant the right of way for an interurban or other railway over and across the lands of the Iowa State Hospital for the Insane at Mount Pleasant, Henry county, State of Iowa, and to fix terms and conditions therefor.

Read first and second time and referred to Committee on Railroads.

THIRD READING OF BILLS.

Senator McManus moved that the rules be suspended for the consideration of Senate File No. 328.

Carried.

Senate File No. 328, a bill for an act authorizing the employment of convict labor in the care of the State's property and for other purposes, was taken up and considered.

Senator McManus moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, DeArmand, DeWolf,

Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Stirton, Stueck-slager, Wade, Warren, Whipple, Whiting, Wilson of Clinton, Young—37.

The nays were:

None.

Absent or not voting:

Senators Bruce, Crossley, Dowell, Dunham, Gale, McElveen, Moon, Peterson, Stookey, Taylor, Turner, Wilson of Fayette, Smith of Mitchell—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.

Senator Warren moved that the Senate request the recall of Senate File No. 10 from the Governor.

Senator Warren moved that the time be extended until the motion under consideration be disposed of.

Carried.

The motion to request the recall of Senate File No. 10 was lost.

Senator Jamison of Clarke moved that the Senate adjourn until 1:30 o'clock P.M.

Carried.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock, President Garst presiding.

Senator Moon filed the following motion to reconsider:

I move to reconsider the vote by which Senate File No. 312 passed the Senate.

E. G. MOON.

HOUSE MESSAGES CONSIDERED.

Speaker of the House has named as conference committee on the part of the House on House File No. 171, a bill for an act to amend Section Thirteen Hundred and Seventy-three (1373) of the Code, relating to the correction, of erroneous assessments: Hambleton of Mahaska, Teter of Marion, Feely of Black Hawk and Schulte of Clayton.

Passed on file.

House has amended and passed Senate File No. 212, a bill for an act to provide for the government of certain cities, amending Title V (5) of the Code.

Passed on file.

House has amended and passed Senate File No. 19, a bill for an act requiring manufacturers and dealers to label white lead, mixed paints, varnishes and similar compounds and linseed oil, defining linseed oil and boiled linseed oil, and fixing penalties for its violation, and repealing Sections Twenty-five Hundred and Ten-a (2510-a), Twenty-five Hundred and Ten-b (2510-b), Twenty-five Hundred and Ten-c (2520-c), Twenty-five Hundred and Ten-d (2510-d) and Twenty-five Hundred and Ten-e (2510-e) of the Supplement to the Code, and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.

Passed on file.

Substitute for Senate File No. 37, a bill for an act amendatory to the law as it appears in Chapter Sixty-eight (68) of the Thirtieth General Assembly and amendatory acts of the Thirty-first General Assembly, relating to levees, ditches, drains and water-courses, and amending Sections Two (2), Fourteen (14), Eighteen (18) and Nineteen (19) of said chapter, and providing for the place where ditches and drains shall be located; how appeals shall be tried in appellate court; for the employment of counsel to represent the drainage district in appellate courts; for the crossing of railroad rights of way; for the building of culverts and bridges at the place of crossing and payment of the cost thereof; for the assessment of benefits, and making the provisions of this act applicable to Chapter Two (2), Title Ten (10) of the Code.

Passed on file.

House has indefinitely postponed Senate File No. 155, a bill for an act to amend Section Thirty-four Hundred and Ninety-six (3496) of the Code, limiting the place in which actions may be brought upon contracts.

Passed on file.

House File No. 173, a bill for an act relating to the powers of local Boards of Health, amending Section Twenty-five Hundred and Sixty-eight (2568) of the Code.

Read first and second time and referred to Committee on Public Health.

House File No. 411, a bill for an act to amend Title Five (5), Chapter Nine (9) of the Code and amendments thereto, relating to Park Commissioners.

Read first and second time and referred to Committee on Cities and Towns.

House File No. 353, a bill for an act to amend the law as it appears in Section Twenty-two Hundred and Eleven (2211) of the Supplement to the Code, and Section Eighteen (18) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to repeal Section Twelve (12) of Chapter Seventy-seven (77) of the acts of the Thirtieth General Assembly, and Section Fourteen (14) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to enact substitutes therefor, and to provide for stoppage of compensation due officers and men of the Iowa National Guard for loss or damage to property issued to them by the State for military purposes.

Read first and second time and referred to Committee on Military.

THIRD READING OF BILLS.

Senator Dowell moved that the rules be suspended for the consideration of Senate File No. 212.

Senate File No. 212, a bill for an act to provide for the government of certain cities, amending Title Five (5) of the Code, was taken up and considered.

Senator Dowell moved that the Senate concur in the following House amendments:

Amend by striking out the figures "25,000" in Section One (1) and to insert the words "twenty-five thousand" in lieu thereof.

Also amend the title by substituting the following in lieu thereof: "A bill for an act to provide for the government of certain cities, and the adoption thereof by special election, additional to Title Five (5) of the Code."

Also amend by striking out the "period (.)" after the word "election" in the last line of Section Twelve (12) and to insert a "comma (,)" in lieu thereof, and to add thereto the words "as provided in Section Seven Hundred and Seventy-six (776) of the Code."

Also amend by inserting after the word "all" and before the word "expenses" the words "receipts and," and after the word "city" and before "during" "and a summary of its proceedings."

Also amend by striking out the word "twenty" in line six of Section Eighteen (18), as printed in the Journal, and to insert the words "twenty-five" in lieu thereof.

Also amend by striking out the word "found" in the fifth line from the bottom of Paragraph One (1) of Section Eighteen (18), as printed in the Journal, and to insert the word "deemed" in lieu thereof.

Also amend by striking out the word "twenty" in line eight of Section Nineteen (19) and insert in lieu thereof "twenty-five."

Also amend by striking out the word "twenty" in line two of the second paragraph of Subdivision (b) of same section, and insert in lieu thereof the words "twenty-five."

Amend by striking out the word "as" in the first line of Section Twenty-one (21) and insert in lieu thereof the words "shall have."

Also amend by inserting the word "five" after the word "twenty" in the fifth line of Section Twenty-one (21).

Also amend by inserting between the word "population" and the interrogation point in line ten of Section Twenty-one (21) the words "or if now organized under special charter shall resume said special charter."

Also amend Senate File No. 212, as it appears in the House Journal of March 22, 1907, by adding the following as Section Twenty-two (22), and making Section Twenty-two (22) Section Twenty-three (23):

SEC. 22. Petitions provided for in this act shall be signed by none but legal voters of the city. Each petition shall contain, in addition to the names of petitioners, the street and house number in which the petitioner resides, his age and length of residence in the city. It shall also be accompanied by the affidavit of one or more legal voters of the city, stating that the signers thereof were, at the time of signing, legal voters of said city, and the number of signers at the time the affidavit was made.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Bleakly, Bruce, Burgeess, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gillil-

land, Hopkins, Hughes, Jackson, Kimmel, Kinne, McManus, Mattes, Moon, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Whipple, Whiting, Wilson of Fayette, Young—34.

The nays were :

None.

Absent or not voting :

Senators Allen, Clark, Dunham, Gale, Jamieson of Page, Jamison of Clarke, Jones, Lambert, McKlveen, Maytag, Newberry, Saunders, Stuckslager, Wade, Warren, Wilson of Clinton—16.

So the amendments were concurred in.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 11, a bill for an act to repeal Section Twenty-one Hundred and Thirteen (2113) of the Code, relating to the powers and duties of the Board of Railroad Commissioners, and enacting a substitute therefor.

Also:

Senate File No. 25, a bill for an act to repeal Section Three (3) of Chapter One Hundred and One (101) of the laws of the Thirtieth General Assembly, and of Chapter One Hundred and Thirteen (113) of the laws of the Thirty-first General Assembly, relative to establishing and maintaining a State Board of Health Laboratory at Iowa City.

Also:

Senate File No. 181, a bill for an act additional to and amendatory of Chapter Eleven (11) of the laws of the Thirtieth General Assembly, entitled "An act enlarging the powers of the District Court and to regulate the treatment and control of dependant, neglected and delinquent children.

Also:

Senate File No. 157, a bill for an act to repeal Section Twenty-five Hundred and Ninety-three (2593) of the Code, and to enact a substitute therefor, relating to practice of pharmacy.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 228, a bill for an act authorizing the board of trustees of free public libraries to unite with any local County Historical Association for the preservation and protection of articles of a historical or educational nature gathered by such association, and to expend money for the proper care of such collection.

Also:

Senate File No. 236, a bill for an act defining the relations between employer and employe, with respect to assumption of risk, and providing what shall constitute notice thereof.

Also:

Senate File No. 240, a bill for an act to amend Chapter One Hundred and Thirty-two (132) of the laws of the Thirtieth General Assembly of Iowa, entitled "An act prohibiting the willful taking of any electric current, gas or water, from the wires, meters, pipes, or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud, additional to Chapter Five (5), Title Twenty-four (24) of the Code," by making it applicable to steam heating plants and the taking of steam or steam heat.

Also:

Senate File No. 286, a bill for an act re-appropriating money for the purchase of land for the State Hospital for Inebriates at Knoxville.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 11, a bill for an act to repeal Section Twenty-one Hundred and Thirteen (2113) of the Code, relating to the powers and duties of the Board of Railroad Commissioners, and enacting a substitute therefor.

Also:

Senate File No. 25, a bill for an act to repeal Section Three (3) of Chapter One Hundred and One (101) of the laws of the Thirtieth Gen-

eral Assembly, and of Chapter One Hundred and Thirteen (113) of the laws of the Thirty-first General Assembly, relative to establishing and maintaining a State Board of Health Laboratory at Iowa City.

Also:

Senate File No. 181, a bill for an act additional to and amendatory of Chapter Eleven (11) of the laws of the Thirtieth General Assembly, entitled "An act enlarging the powers of the District Court and to regulate the treatment and control of dependent, neglected and delinquent children.

Also:

Senate File No. 157, a bill for an act to repeal Section Twenty-five Hundred and Ninety-three (2593) of the Code, and to enact a substitute therefor, relating to practice of pharmacy.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

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. 228, a bill for an act authorizing the board of trustees of free public libraries to unite with any local County Historical Association for the preservation and protection of articles of a historical or educational nature gathered by such association, and to expend money for the proper care of such collection.

Also:

Senate File No. 236, a bill for an act defining the relations between employer and employe, with respect to assumption of risk, and providing what shall constitute notice thereof.

Also:

Senate File No. 240, a bill for an act to amend Chapter One Hundred and Thirty-two (132) of the laws of the Thirtieth General Assembly of Iowa, entitled "An act prohibiting the willful taking of any electric current, gas or water, from the wires, meters, pipes, or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud, additional to Chapter Five (5), Title Twenty-four (24) of the Code," by making it applicable to steam heating plants and the taking of steam or steam heat.

Also:

Senate File No. 286, a bill for an act re-appropriating money for the purchase of land for the State Hospital for Inebriates at Knoxville.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 11, a bill for an act to repeal Section Twenty-one Hundred and Thirteen (2113) of the Code, relating to the powers and duties of the Board of Railroad Commissioners, and enacting a substitute therefor.

Also:

Senate File No. 25, a bill for an act to repeal Section Three (3) of Chapter One Hundred and One (101) of the laws of the Thirtieth General Assembly, and of Chapter One Hundred and Thirteen (113) of the laws of the Thirty-first General Assembly, relative to establishing and maintaining a State Board of Health Laboratory at Iowa City.

Also:

Senate File No. 181, a bill for an act additional to and amendatory of Chapter Eleven (11) of the laws of the Thirtieth General Assembly, entitled "An act enlarging the powers of the District Court and to regulate the treatment and control of dependent, neglected and delinquent children.

Also:

Senate File No. 157, a bill for an act to repeal Section Twenty-five Hundred and Ninety-three (2593) of the Code, and to enact a substitute therefor, relating to practice of pharmacy.

W. B. SEELEY,
Chairman.

Adopted.

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. 228, a bill for an act authorizing the board of trustees of free public libraries to unite with any local County Historical Association for the preservation and protection of articles of a historical or educational nature gathered by such association, and to expend money for the proper care of such collection.

Also:

Senate File No. 236, a bill for an act defining the relations between employer and employe, with respect to assumption of risk, and providing what shall constitute notice thereof.

Also:

Senate File No. 240, a bill for an act to amend Chapter One Hundred and Thirty-two (132) of the laws of the Thirtieth General Assembly

of Iowa, entitled "An act prohibiting the willful taking of any electric current, gas or water, from the wires, meters, pipes, or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud, additional to Chapter Five (5), Title Twenty-four (24) of the Code," by making it applicable to steam heating plants and the taking of steam or steam heat.

Also:

Senate File No. 286, a bill for an act re-appropriating money for the purchase of land for the State Hospital for Inebriates at Knoxville.

W. B. SEELEY,
Chairman.

Adopted.

THIRD READING OF BILLS.

Senator Stirton moved that the rules be suspended for the consideration of House File No. 352.

Carried.

House File No. 352, a bill for an act to grant officers and guards at the penitentiaries at Anamosa and Fort Madison an annual vacation of fifteen (15) days with pay, was taken up and considered.

The bill was read for information.

Senator Seeley moved the adoption of the following amendment:

Amend by adding as Section Three (3) the following:

Sec. 3. The provisions of this act shall apply to the attendants and employes of the State Hospitals at Clarinda, Cherokee, Independence and Mount Pleasant, and authorize the superintendents thereof to grant such vacations at such times as will best serve the interests of said hospitals.

Senator Gilliland moved to amend the amendment by inserting after the words "Mount Pleasant" the words "and Glenwood."

The amendment to the amendment was lost.

The amendment was lost.

Senator Stirton moved that the rule be suspended and the reading just had be considered its third reading.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Clark, DeArmand, DeWolf, Dowell, Ericson,

Frudden, Hughes, Jackson, Jones, McManus, Moon, Newberry, Peterson, Saunders, Stirton, Stookey, Stuckslager, Turner, Wade, Whiting, Wilson of Fayette, Wilson of Clinton, Young—24.

The nays were :

Senators Burgess, Crossley, Elerick, Foley, Gilliland, Hopkins, Jamieson of Page, Jamison of Clarke, Kimmel, Lambert, Maytag, Nichols, Seeley, Smith of Des Moines, Smith of Mitchell, Whipple—16.

Absent or not voting :

Senators Allen, Bruce, Dunham, Eckles, Gale, Kinne, McKlveen, Mattes, Taylor, Warren—10.

The bill having failed to receive a constitutional majority was declared lost.

Senator Newberry moved that the rules be suspended for the consideration of Senate File No. 19.

Carried.

Senate File No. 19, a bill for an act requiring manufacturers and dealers to label white lead, paints, mixed paints, varnishes, fillers, stains and similar compounds, and linseed oil; defining linseed oil and boiled linseed oil; and fixing penalties for its violation; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner, was taken up and considered.

Senator Newberry moved that the Senate concur in the following House amendments :

Amend the title by striking out the word "varnishes."

Also amend Section One (1) by striking out the word "varnish."

Also amend by striking out in Section Three (3) after the word "State" the following words: "in type not smaller than eight point gothic caps."

Also amend Section Three (3) in line thirteen by striking out the word "varnishes."

Also amend by striking out the words "and after" between the words "on" and "January" in the last line of Section Nine (9).

On the question, "Shall the Senate concur in the House amendments?"

The yeas were :

Senators Allen, Bleakly, Bruce, Burgess, DeArmand, Dowell,

Eckles, Elerick, Ericson, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Whipple, Whiting, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Senators Clark, Crossley, DeWolf, Dunham, Foley, Gale, Hopkins, Jamison of Clarke, Jones, McKlveen, McManus, Saunders, Taylor, Warren, Young, Wilson of Fayette—16.

So the amendments were concurred in.

REPORTS OF COMMITTEES.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 306, a bill for an act providing that owners or keepers of stallions or jacks shall have a lien upon the get of any such animal for the service fee 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. E. BRUCE,
Chairman.

Ordered passed on file.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 207, a bill for an act to repeal Section Four Hundred and Fifty-eight (458) and Four Hundred and Fifty-nine (459) of the Code, and to enact a substitute therefor, relating to taxation of dogs and injuries to domestic animals, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAS. E. BRUCE,
Chairman.

Ordered passed on file.

Senator Turner, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred

Senate File No. 351, a bill for an act to authorize the sale of the southwest quarter ($\frac{1}{4}$) of Section Twenty-seven (27), Township Seventy-eight (78) North, Range Twenty-four (24) West of the Fifth (5th) Principal Meridian, known as the camp ground of the Iowa National Guard, and to use the proceeds of the sale, or so much thereof as may be necessary, in the purchase and improvement of another camp ground for the said 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 do pass.

DAN TURNER,
Chairman.

Ordered passed on file.

The President announced that he had signed, in the presence of the Senate, Senate Files No. 11, 25, 157, 181, 228, 236, 240 and 286.

THIRD READING OF BILLS.

Senator Stookey moved that the rules be suspended for the consideration of the substitute for Senate File No. 166.

Carried.

Substitute for Senate File No. 166, a bill for an act to amend the law as it appears in Section Fifteen Hundred and Thirty (1530) of the Supplement to the Code, by removing the semicolon after the word "council" in the twelfth line and by inserting after said word "council" "and the County Treasurer shall pay to the City or Town Treasurer said fund," was taken up and considered.

The substitute was read for information.

Senator Stookey moved the adoption of the following amendment:

Move to amend the substitute by inserting in line six before the word "highway" the words "streets and."

Adopted.

Senator Jamieson of Page moved the adoption of the following amendment:

Amend by adding after the word "city" in the first line of the second paragraph of Section One (1), the words "of the second class."

The amendment was lost.

Senator Stookey moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Burgess, DeArmand, DeWolf, Jamieson of Page, Jones, Lambert, Moon, Stookey, Stuckslager, Taylor, Turner, Wilson of Fayette—13.

The nays were:

Senators Bruce, Clark, Crossley, Dowell, Eckles, Ericson, Foley, Gilliland, Hopkins, Hughes, Jackson, Kimmel, Kinne, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Wade, Whipple, Wilson of Clinton—24.

Absent or not voting:

Senators Allen, Dunham, Elerick, Frudden, Gale, Jamison of Clarke, McKlveen, McManus, Stirton, Smith of Mitchell, Warren, Whiting, Young—13.

So the bill having failed to receive a constitutional majority was declared lost.

Senator Warren moved that the rules be suspended for the consideration of Senate File No. 308.

Carried.

Senate File No. 308, a bill for an act granting the use of public highways for the laying of water mains and pipes, and the setting of electric wire poles thereon, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Warren moved the adoption of the following committee amendments:

Amend the title by striking out the words "and the setting of electric wire poles."

Amend Section One (1) by striking out the comma after the word "main" in the third line and insert in lieu thereof the word "and." Further amend Section One (1) by striking out of line three after the word "pipes" the words "and erect its electric poles."

Further amend the bill by striking out all of Section Two (2).

Adopted.

Senator Warren offered the following amendment and moved its adoption:

Amend by striking out the word "upon" in the second line of the printed bill and insert in lieu thereof the word "in."

Adopted.

Senator Dowell was called to the chair at 2:35 o'clock.

Senator Warren moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Lambert, McManus, Mattes, Maytag, Moon Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Stirton, Warren, Whiting, Wilson of Fayette, Wilson of Clinton—35.

The nays were:

Senator Peterson—1.

Absent or not voting:

Senators Dunham, Gale, Gilliland, Jamison of Clarke, Kinne, McKlveen, Smith of Mitchell, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Young—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Gilliland moved that the rules be suspended for the consideration of Senate File No. 347.

Carried.

Senate File No. 347, a bill for an act granting to cities and towns power to regulate, define, tax and license public dance halls, skating rinks, fortune tellers, palmists and clairvoyants, was taken up and considered.

Senator DeArmand moved the adoption of the following amendment:

Add as Section Two (2) the following:

SEC. 2. Cities and towns shall have the power to regulate the con-

struction and location of bill boards and the power to license and tax the owners thereof or persons maintaining the same.

Adopted.

Senator Gilliland moved the adoption of the following amendment:

Amend the title by adding after the word "license" the words "and prohibit" and add to the title the following words: "and to license and regulate the construction of bill boards and to tax owners or persons maintaining the same."

Adopted.

Senator Gilliland moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Dunham, Gale, McKlveen, McManus, Maytag, Smith of Mitchell, Taylor, Warren, Young—10.

So the bill having received a constitutional majority was declared to have passed the Senate and title, as amended, 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. 333, a bill for an act to amend Sections One Hundred

and Fifty-six (156) and One Hundred and Fifty-seven (157) of the Code, relating to the election and duties of the Secretary of the Executive Council, and defining the duties of said Secretary, and to amend Sections Thirteen Hundred and Seventy-eight (1378) and Thirteen Hundred and Eighty-two (1382) 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. 268, a bill for an act to define and regulate the practice of optometry, and for the creation of a Board of Examiners in Optometry.

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. 234, a bill for an act to authorize the re-consignment without charge to a new destination of property forwarded by a common carrier, and to provide for the treatment of 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. 30, 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.

C. R. BENEDICT,
Chief Clerk.

Senator Foley filed the following motion to reconsider :

MR. PRESIDENT—I move to reconsider the vote by which House File No. 352 was lost.

JOHN FOLEY.

Senator Turner moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A.M. tomorrow.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, MARCH 28, A. D. 1907.

Senate met in regular session at 9 o'clock A.M., President Garst presiding.

Prayer was offered by the Rev. D. W. Cassat of Corning.

PETITIONS AND MEMORIALS.

Senator Lambert presented petitions of residents of Jackson county, including attorneys and county officials, endorsing House File No. 438, relative to length of term of county officials, and urging its passage.

Referred to Committee on Judiciary.

Senator Crossley presented petition of attorneys of Winterset, Iowa, favoring the passage of House File No. 438, relative to length of term of county officials.

Referred to Committee on Judiciary.

HOUSE MESSAGES CONSIDERED.

House File No. 333, a bill for an act to amend Sections One Hundred and Fifty-six (156) and One Hundred and Fifty-seven (157) of the Code, relating to the election and duties of the Secretary of the Executive Council and defining the duties of said Secretary, and to amend Sections One Thousand Three Hundred and Seventy-eight (1378) and One Thousand Three Hundred and Eighty-two (1382) of the Code.

Read first and second time and referred to Committee on Retrenchment and Reform.

House File No. 268, a bill for an act to define and regulate the

practice of optometry and for the creation of a Board of Examiners in Optometry.

Read first and second time and referred to Committee on Public Health.

Senate File No. 234, a bill for an act to authorize the reconignment without charge to a new destination of property forwarded by a common carrier and to provide for the treatment of the same as an original shipment.

Passed on file.

House amended and passed Senate File No. 30, 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.

Passed on file.

REPORTS OF COMMITTEE.

Senator Crossley, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 358, a bill for an act to amend Section Twenty-seven Hundred and Seventy-one (2771) of the Supplement to the Code, relative to the filling of vacancies on the school board, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAMES J. CROSSLEY,
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. 265, a bill for an act to amend the law as it appears in Section Two (2), Chapter One Hundred and Forty (140), laws of the Thirty-first General Assembly, relating to the funding of school district 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.

JAMES J. CROSSLEY,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Crossley, from the conference committee on Senate File No. 280, submitted the following report, which was read.

MR. PRESIDENT—The conference committee appointed by the Senate and House to confer on disagreements arising on amendments to Senate File No. 280, beg leave to report that they have reached an agreement as to all matters in dispute and as to all amendments that shall be made to Senate File No. 280, as it passed the Senate, as follows:

1. That the following amendment be adopted as a substitute for the House amendment to Section 1 of the bill as it passed the Senate, viz:

That Section One (1) be amended by striking out after the word "offices" and before the word "which" in the second line of the original bill the words: "except judges of the Supreme, District and Superior Courts," and by striking out the word "and" between the words "November" and "for" in the fourth line of said section and by inserting in lieu thereof between said words the following: "(except candidates for the office of Judge of the Supreme, District and Superior Courts)," and by inserting the word "county" immediately before the word "conventions" in the seventh line and immediately before the word "committeeman" in the eighth line of said section.

2. That Section Three (3) be amended by striking out the period at the end of the section and inserting in lieu thereof a comma and following said comma the words: "provided, that such other political organizations as may, under Sections One Thousand Ninety-eight (1098) and One Thousand Ninety-nine (1099) of the Code, nominate and certify candidates and have their names placed upon the ballot for the November election, shall have the right so to do in the manner and under the conditions therein prescribed."

3. That the following amendment be adopted as a substitute for the two House amendments to Section Four (4) of the bill as it passed the Senate, viz:

That Section Four (4) be amended by striking out the words: "except Judges of the Supreme, District and Superior Courts and" that are now placed between the word "ensuing" and the word "for" in the seventh line of said section and by inserting in lieu thereof the following: "(except candidates for the office of Judge of the Supreme, District and Superior Courts),"

4. That the House amendment to Section Ten (10) of the bill in words and figures following, to-wit:

Amend by striking the blank line after the comma following the word "street" in the sixty-eighth line of Section Ten (10); and by inserting in the place of the last comma in said line the word "of"; and by striking the comma following the word "county" in the sixty-ninth line of the same section and inserting in lieu thereof the

word "of" and a blank line one-half inch in length, be adopted as an amendment to said section of the bill as it passed the Senate.

5. That the House amendment to Section Fifteen (15) of the bill in words and figures following, to wit:

Amend by striking the letter "s" from the word "ballots" in line three of Section Fifteen (15); also by striking the word "thereof" from line four thereof and inserting in lieu of such word the words "of each of such ballots," be adopted as an amendment to said section of the bill as it passed the Senate.

6. That the following amendment be adopted as a substitute for the two House amendments to Section Nineteen (19) of the bill as it passed the Senate, viz:

That Section Nineteen (19) be amended by striking out all of said section after the semicolon following the word "county" in the eleventh line thereof and by inserting in lieu thereof after said semicolon the following: "and the candidate or candidates of each political party for each office to be filled by the voters of any sub-division of a county having received the highest number of votes shall be duly and legally nominated as the candidate of his party for such office; and the candidate or candidates of each political party for each office to be filled by the voters of a county having received the highest number of votes, and not less than thirty-five per centum of all the votes cast by the party for such office, shall be duly and legally nominated as the candidate of his party for such office; and each candidate so nominated shall be entitled to have his name printed on the official ballot to be voted for at the general election without other certificate, and the board shall prepare and certify a list of the candidates of each party so nominated, separately, and deliver to the chairman of each party central committee for the county a copy of the list of candidates nominated by the party he represents; and shall also prepare, certify and deliver to such chairman a list of the offices to be filled by the voters of a county for which no candidate of his party was nominated, together with the names of the candidates for each of such offices voted for at the primary election and the number of votes received by each of such candidates."

7. That the following amendment be adopted as a substitute for the two House amendments to Section Twenty (20) of the bill as it passed the Senate, viz:

That Section Twenty (20) be amended by striking out the comma and the words "except Judges of the Supreme, District and Superior Courts" following the word "offices" in the sixth line of said section and by inserting a period after the said word "offices" in lieu of the comma.

8. That the following amendment be adopted as a substitute for the House amendment to Section Twenty-two (22) of the bill as it passed the Senate, viz:

That section Twenty-two (22) be amended by striking out the word "third" before the word "Monday" in the first line of said section and by inserting in lieu thereof the word "second," and be further amended by striking out all of said section after the semicolon following the

word "represents" in the twenty-first typewritten line of said section and inserting in lieu thereof after said semicolon the following: "and shall also forthwith prepare a certificate as to each office, separately, for which no candidate was nominated, together with the names of the several candidates for each of such offices voted for at the primary election and the number of votes received by each of such candidates and send such certificate to the chairman of the party central committee for the State, in case of offices to be filled by the voters of the entire State, and to the chairman of the party central committee for a district of the State, if known, in case of offices to be filled by the voters of any such district of the State composed of more than one county, and to the County Auditor of each county in any such district, and to the County Auditor and the chairman of the party central committee for the county, in case any such district is composed of one county."

9. That the House amendment to Section Twenty-three (23) of the bill as it passed the Senate in words and figures following, to-wit:

Amend by inserting between the comma following the word "council" and the word "his" in the ninth line of Section Twenty-three (23) the following: "or as certified to him by the proper persons when any person has been nominated by a convention," be adopted as an amendment to said section of the bill as it passed the Senate.

10. That the following amendment be adopted as a substitute for all the House amendments to Section Twenty-five (25) of the bill as it passed the Senate, viz:

That Section Twenty-five (25) be amended by striking out the word "second" before the word "Saturday" in the fifth line of said section and inserting in lieu thereof the word "third," and by striking out the words "2:00 o'clock P.M." in the sixth line of said section and inserting in lieu thereof the words "11:00 o'clock A.M.," and by striking out the period following the word "committee" in line forty of said section as it appears in the original bill and all of said section following said period and inserting in lieu of said period a comma and after said comma the following: "and a list of the offices for which no nomination was made at the primary election. If any precinct shall not be fully represented, the delegates present from such precinct shall cast the full vote thereof, but there shall be no proxies. The said county convention shall make nominations of candidates for the party for any office to be filled by the voters of a county when no candidate for such office has been nominated at the preceding primary election, as shown by the canvass of the returns provided for in Section Nineteen (19) of this act, and shall nominate candidates for the office of Judge of the District Court in counties comprising one judicial district of the State, and shall 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 for the State, district or districts of the State, as the case may be, but no delegates shall be so selected to any of the district conventions referred to in Section Twenty-six (26) of this act, except judicial conventions, unless a call therefor has been issued as therein provided.

The said county convention shall also elect a member of the party central committee for the senatorial, judicial, and congressional districts composed of more than one county."

11. That the following amendment be adopted as a substitute for the House amendment to Section Twenty-six (26) of the bill as it passed the Senate, viz:

That Section Twenty-six (26) be amended by inserting after the period following the word "committees" in line nineteen of the original bill the following: "In case no nomination was made in the primary election for the office of Senator in the General Assembly in any district composed of more than one county, or for the office of Representative in Congress of the United States, as shown by the certificate issued by the State board of canvassers provided for in this act, then in any such district the chairman of the party central committee therefor shall forthwith issue such call for a convention in such district and deliver the same to the County Auditor of each county in the district, and in such case said call need not be published"; and by inserting after the word "office" in the second line of Senate amendment attached on page twenty of the bill the words: "to be filled by the voters of the entire State"; and by striking out the word "votes" in the line following and inserting in lieu thereof the word "returns"; and by striking out the period after the word "hereof" in the last line of said Senate amendment and inserting in lieu thereof a semicolon and after said semicolon the words: "and shall nominate candidates for the office of Judge of the Supreme Court."

12. That the following amendment be adopted as a substitute for the two House amendments to Section Thirty-five (35) of the bill as it passed the Senate, viz:

That Section Thirty-five (35) of the bill be amended by striking out the period at the end of the first paragraph of said section and adding thereto the words: "and the cities acting under a special charter having a population of over fifteen thousand, except all such special charter cities and cities of the first class as have by vote of the people adopted a plan of municipal government which specifically provides for a non-partisan primary election."

And by adding to said section after the period at the end thereof the following:

"The entire expense of conducting a primary election provided for in this section shall be audited by the city council and paid by the city.

"This section shall not be held to repeal any law which provides for the adoption of a plan of municipal government by vote of the people and which embraces a non-partisan primary election."

JAMES J. CROSSLEY,

GEO. W. DUNHAM,

C. F. PETERSON,

A. C. WILSON,

On part of the Senate.

J. H. DARRAH,

N. J. LEE,

O. H. HOLMES,

EDWARD McDONALD,

On part of the House.

Conference Committee on Senate File No. 280.

Senator Gilliland moved that the Conference Committee report be printed in the Journal and further consideration be postponed until tomorrow.

Carried.

Senator Wilson of Clinton moved that the rules be suspended for the consideration of House File No 376.

Carried.

House File No. 376, a bill for an act giving certain powers to the board of supervisors in relation to the alteration or straightening of highways, and to prevent the encroachment of streams thereon, and to condemn land necessary for said purposes, 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 Clinton moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, Mattes, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators Gilliland, Jamieson of Clarke, McKlveen, McManus, Maytag, Saunders, Smith of Mitchell, Warren—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 Wilson of Clinton, House File No. 91, a

bill for an act relative to the appointment of non-residents of the State as executors, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

On motion of Senator Wilson of Clinton, House File No. 88, a bill for an act to amend Section Four Thousand One Hundred and Twenty (4120) of the Code, relative to the time for filing abstracts in 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.

Senator Gale moved that concurrent resolution offered by him on March 26, relative to the State Fish and Game Warden, be considered at this time.

Carried.

Senator Gale moved the adoption of the concurrent resolution.

Adopted.

Senator Wilson of Fayette moved that the rules be suspended for the consideration of House File No. 145.

Carried.

House File No. 145, a bill for an act to legalize conveyances of real estate by executors, administrators, and guardians in this or foreign states, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Wilson of Fayette moved the adoption of the following committee amendment:

Amend Section One of said bill by striking out the figures "1886" in the first line thereof and insert in lieu thereof the words and figures "eighteen hundred seventy (1870)."

That Section One (1) be further amended by adding after the word "guardian" in the second line thereof the words "duly appointed, qualified and."

That Section One (1) be further amended by striking out the words "in this State or" in the second line thereof.

That Section One (1) be further amended by striking out the fig-

ures "1887" in the seventh line thereof and inserting in lieu thereof the words and figures "eighteen hundred seventy-one (1871)."

Adopted.

The bill as amended was read for information.

Sentor Wilson of Fayette moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators DeArmand, Frudden, Jamieson of Page, Jamison of Clarke, Lambert, McKlveen, McManus, Maytag, Warren—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Young moved that the rules be suspended for the consideration of House File No. 424.

Carried.

House File No. 424, a bill for an act to prevent the throwing or depositing of drugs or medicines as sample or otherwise in private or public places, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Young moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Erierson, Frudden, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Stuckslager, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—33.

The nays were:

None.

Absent or not voting:

Senators Bleakly, Bruce, Burgess, Dunham, Foley, Hopkins, Lambert, McKlveen, McManus, Mattes, Maytag. Moon, Nichols, Stirton, Taylor, Turner, Warren—17.

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. 356, a bill for an act to punish burglary with 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 Senate is asked:

House File No. 421, a bill for an act to repeal Section Twenty Hundred and Twenty-six (2026) of the Supplement to the Code, and Chapter Eighty-seven (87) of the acts of the Thirty-first General Assembly, and to enact a substitute therefor, 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. 341, a bill for an act to amend the law as it appears in Section Eight Hundred and Fifty-two (852) of the Supplement to the Code, as amended by Chapter Thirty-four (34) of the laws of the Thirtieth General Assembly, authorizing the levy of an additional tax of one mill on the dollar on all taxable property for park purposes, relating to Park Commissioners, their powers and duties.

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. 194, a bill for an act authorizing cities of the first class to levy taxes for the purpose of paying for building and construction of bridges, and for the issuance of bonds or certificates against such levies.

C. R. BENEDICT,
Chief Clerk.

Senator Dowell moved that the Senate ask the recall from the House of Senate File No. 312.

Carried.

Senator Mattes moved that the rules be suspended for the consideration of House Joint Resolution No. 2.

Carried.

HOUSE JOINT RESOLUTION NO. 2.

House Joint Resolution No. 2, 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.

The joint resolution was read for information.

HOUSE JOINT RESOLUTION NO. 2.

House Joint Resolution No. 2, propising 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 lands to construct drains, ditches, and levees for agricultural, sanitary and 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 benefited 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." Be it further

Resolved, That the foregoing proposed amendment to the Constitution of the State of Iowa, having been adopted by the Thirtieth (30th) and the Thirty-first (31st) General Assemblies, in manner and form, and by the majority required by the Constitution of the State of Iowa, and the statutes thereof, shall be submitted for ratification or rejection by the electors of the State of Iowa, at the general election for State officers to be held in November, 1908.

Senator Mattes moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the House joint resolution be adopted?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Mattes, Moon, Newberry, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators Lambert, McKlveen, McManus, Maytag, Nichols, Seeley, Taylor, Turner—8.

So the House joint resolution having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Saunders moved that the rules be suspended for the consideration of Senate File No. 30.

Carried.

Senate File No. 30, 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, was taken up and considered.

Senator Saunders moved that the Senate do not concur in the following House amendments:

Amend Section Two (2) by striking out the word "that" in the fifth line and inserting in lieu thereof the words "in the discretion of the court."

Also amend Section Two (2) by adding at the end of said section the words "or the reformatory at Anamosa."

Also amend by striking out of Section Six (6) after the word "reformatory" the comma (,) and the words "and the prison at Fort Madison is overcrowded."

Also amend Section Fourteen (14) by striking out of line sixteen the words "from the ordinary expense fund of the penitentiaries" and inserting in lieu thereof the words "out of the appropriation made herein."

Carried.

The President announced that he had signed, in the presence of the Senate, Senate Files No. 136, 37 and 164.

THIRD READING OF BILLS.

Senate File No. 226, a bill for an act to reimburse S. B. Humbert for services rendered as superintendent of construction of the monuments at Lookout Mountain and one at either end of Missionary Ridge, and to make an appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Lambert was called to the chair at 10:10 o'clock.

Senator DeWolf moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, De-Armand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—46.

The nays were:

None.

Absent or not voting:

Senators McKlveen, McManus, Saunders, Warren—4.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

On request of Senator Wilson, leave of absence was granted Senator Crossley until noon.

On request of Senator Eckles, leave of absence was granted Senator McManus for the day.

Senator Jamison of Clarke moved that the rules be suspended for the consideration of House File No. 49.

Carried.

House File No. 49, 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Smith of Mitchell moved the adoption of the following amendment:

Amend Paragraph Four (4) of Section Two (2) by inserting the words "interest, title" in line thirty-four, between the words "the" and "possession."

Further consideration of the amendment was postponed.

Senator Allen moved the adoption of the following amendment:

Amend Subdivision "F," Section Two (2) in line fifty-eight by strik-

ing out the words "insured shall" and insert in lieu thereof the words "insurer does not," and by striking out the word "not" in line fifty-nine of said Section Two (2).

Laid over.

Senator Peterson moved the adoption of the following amendment:

I move to strike the words "now has or," following the word "insured," in the first line of subdivision "a" in line twenty-four of the printed bill and by inserting after the word "policy" in the second line of said subdivision "a" the words "without notice to the company."

Laid over.

By consent, the amendment of Senator Smith of Mitchell was withdrawn.

Senator Jamison of Clarke moved that further consideration be postponed until this afternoon.

Carried.

Senator Smith of Mitchell moved that House File No. 333 be recalled from the Committee on Retrenchment and Reform and placed on the Calendar.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House insists upon its amendments to the following bill, in which the concurrence of the Senate was asked:

Senate File No. 30, 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, and ask for a conference committee, and Speaker of the House names as conference committee on the part of the House: Holmes of Kossuth, Paul of Jones, Jones of Montgomery, and Hambleton of Mahaska.

C. R. BENEDICT,
Chief Clerk.

Senator Clark moved that the rules be suspended for the consideration of House File No. 207.

Carried.

House File No. 207, a bill for an act to repeal Sections Four Hundred and Fifty-eight (458) and Four Hundred and Fifty-nine (459) of the Code and to enact a substitute therefor, relating to taxation of dogs and injuries to domestic animals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The President resumed the chair at 11:25 o'clock.

Senator Clark moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Turner, Wade, Whipple, Whiting, Wilson of Clinton, Young—35.

The nays were:

Senator Hopkins—1.

Absent or not voting:

Senators Crossley, DeWolf, Jamison of Clarke, Jones, McKlveen, McManus, Mattes, Maytag, Saunders, Stirton, Stuckslager, Taylor, Warren, 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 MESSAGE CONSIDERED.

Senate File No. 30, 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, and ask for a conference committee, and Speaker of the House names as conference committee on the part

of the House: Holmes of Kossuth, Paul of Jones, Jones of Montgomery and Hambleton of Mahaska.

Senator Saunders moved that the request of the House for a conference committee on Senate File No. 30 be granted.

Carried.

The President announced as conference committee on Senate File No. 30 on the part of the Senate: Senators Saunders, Stirton, Mattes and Peterson.

REPORT OF COMMITTEE.

Senator Whipple, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 360, a bill for an act to regulate the soliciting and using of proxies by 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.

Senator Hughes moved that the rules be suspended for the consideration of House File No. 342.

Carried.

THIRD READING OF BILLS.

House File No. 342, a bill for an act to repeal Section One Thousand Four Hundred and Eighty-three (1483) of the Code, relating to roads and highways, and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hughes moved the adoption of the following amendment:

Strike out the word "their" in line seven of the printed bill and insert in lieu thereof the word "its."

Adopted.

Senator Hughes moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Hughes, Jackson, Jamieson of Page, Jones, Kinne, Lambert, Mattes, Moon, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette—35.

The nays were:

Senator Gilliland—1.

Absent or not voting:

Senators Crossley, DeWolf, Dowell, Dunham, Hopkins, Jamison of Clarke, Kimmel, McKlveen, McManus, Maytag, Newberry, Taylor, Wilson of Clinton, Young—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 concurrent resolution, in which the concurrence of the Senate is asked:

Concurrent resolution relative to appropriations of the Thirty-second General Assembly.

Resolved by the House, the Senate concurring. That the respective chairmen of the House and Senate Committees on Appropriations be instructed to submit a tabulated list of the appropriations for the various bills as recommended by their respective committees, to the Committee on Ways and Means, and to secure an estimate of the levy that will be necessary to cover the present appropriations as recommended by their respective committees, and also all deficits in excess of the levies of the two preceding General Assemblies, and submit the same to the respective branches of the Legislature, before any additional appropriations shall be made, in order that every member of the Thirty-second General Assembly shall be sufficiently informed to vote intelligently upon pending appropriations.

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. 244, a bill for an act to amend Section Three Hundred and Three-A (303-A) of the Supplement to the Code, relating to the compensation of Assistant County Attorneys.

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. 441, a bill for an act to amend Subdivision Seven (7) of Section Thirteen Hundred and Four (1304) of the Supplement to the Code, relating to the 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 House was asked:

Senate File No. 244, a bill for an act authorizing persons, firms or corporations engaged in the business of storing goods for profit to issue warehouse receipts on the goods so stored; to regulate the issuance, negotiation and transfer of such receipts and to provide punishment for violation of said regulations and repeal Section Thirty-one Hundred and Twenty-nine (3129) of the Code.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 184, a bill for an act to amend the law as it appears in Sections Two (2) and Three (3), Chapter Fourteen (14), acts of the Thirty-first General Assembly, granting Township Trustees power to contract for use of public libraries.

Also:

Senate File No. 136, a bill for an act to amend the law as it appears in Section Fourteen (14) of Chapter One Hundred and Sixty-six (166) of the laws of the Thirty-first General Assembly, relating to the sale of canned goods.

Also:

Senate File No. 37, a bill for an act amendatory of the law as it appears in Chapter Sixty-eight (68) of the Thirtieth General Assembly, and amendatory acts of the Thirty-first General Assembly, relating to levees, ditches, drains and watercourses, and amending Sections Two (2) Fourteen (14), Eighteen (18) and Nineteen (19) of said chapter, and providing for the place where ditches and drains shall be located; how appeals shall be tried in appellate courts; for the employment of counsel to represent the drainage district in appellate courts; for the crossing of railroad rights of way; for the building of culverts and bridges at the place of crossing, and payment of the costs thereof; for the assessment of benefits and making the provisions of this act applicable to Chapter Two (2), Title Ten (10) of the Code.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 184, a bill for an act to amend the law as it appears in Sections Two (2) and Three (3), Chapter Fourteen (14), acts of the Thirty-first General Assembly, granting Township Trustees power to contract for use of public libraries.

Also:

Senate File No. 136, a bill for an act to amend the law as it appears in Section Fourteen (14) of Chapter One Hundred and Sixty-six (166) of the laws of the Thirty-first General Assembly, relating to the sale of canned goods.

Also:

Senate File No. 37, a bill for an act amendatory of the law as it appears in Chapter Sixty-eight (68) of the Thirtieth General Assembly, and amendatory acts of the Thirty-first General Assembly, relating to levees, ditches, drains and watercourses, and amending Sections Two (2) Fourteen (14), Eighteen (18) and Nineteen (19) of said chapter, and providing for the place where ditches and drains shall be located; how appeals shall be tried in appellate courts; for the employment of counsel to represent the drainage district in appellate courts; for the crossing of railroad rights of way; for the building of culverts and bridges at the place of crossing, and payment of the costs thereof; for the assessment of benefits and making the provisions of this act applicable to Chapter Two (2), Title Ten (10) of the Code.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 184, a bill for an act to amend the law as it appears in Sections Two (2) and Three (3), Chapter Fourteen (14), acts of the Thirty-first General Assembly, granting Township Trustees power to contract for use of public libraries.

Also:

Senate File No. 136, a bill for an act to amend the law as it appears in Section Fourteen (14) of Chapter One Hundred and Sixty-six (166) of the laws of the Thirty-first General Assembly, relating to the sale of canned goods.

Also:

Senate File No. 37, a bill for an act amendatory of the law as it appears in Chapter Sixty-eight (68) of the Thirtieth General Assembly, and amendatory acts of the Thirty-first General Assembly, relating to levees, ditches, drains and watercourses, and amending Sections Two (2) Fourteen (14), Eighteen (18) and Nineteen (19) of said chapter, and providing for the place where ditches and drains shall be located; how appeals shall be tried in appellate courts; for the employment of counsel to represent the drainage district in appellate courts; for the crossing of railroad rights of way; for the building of culverts and bridges at the place of crossing, and payment of the costs thereof; for the assessment of benefits and making the provisions of this act applicable to Chapter Two (2), Title Ten (10) of the Code.

W. B. SEELEY,
Chairman.

Adopted.

The Journal of yesterday was taken up, corrected and approved.

Senator Stookey moved that when the Senate adjourn it be until 1:30 o'clock P. M.

Carried.

Senator Wade moved that the Senate do now adjourn.

Carried.

Senate adjourned until 1:30 o'clock P.M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock, President Garst presiding.

PETITIONS AND MEMORIALS.

Senator Crossley presented petitions of citizens and residents of Madison county, Iowa, urging the passage of House File No. 438, relating to the length of term of county officials.

Referred to Committee on Judiciary.

HOUSE MESSAGES CONSIDERED.

House File No. 356, a bill for an act to punish burglary with explosives.

Read first and second time and referred to Committee on Judiciary.

House File No. 421, a bill for an act to repeal Section Two Thousand and Twenty-six (2026) of the Supplement to the Code, and Chapter Eighty-seven (87) of the acts of the Thirty-first General Assembly, and to enact a substitute therefor, relating to street railways over highways.

Read first and second time and referred to Committee on Cities and Towns.

Senate File No. 341, a bill for an act to amend the law as it appears in Section Eight Hundred and Fifty-two (852) of the Supplement to the Code as amended by Chapter Thirty-four (34) of the laws of the Thirtieth General Assembly, authorizing the levy of an additional tax of one mill on the dollar on all taxable property for park purposes, relating to Park Commissioners, their powers and duties.

Passed on file.

Senate File No. 194, a bill for an act authorizing cities of the first class to levy taxes for the purpose of paying for building and construction of bridges and for the issuance of bonds or certificates against such levies.

Passed on file.

House concurrent resolution relative to appropriations of the Thirty-second General Assembly.

Read first and second time and referred to Committee on Appropriations.

Senate File No. 244, a bill for an act authorizing persons, firms or corporations engaged in the business of storing goods for profit to issue warehouse receipts on the goods so stored; to regulate the issuance, negotiation and transfer of such receipts and to provide punishment for violation of said regulations and repeal Section Three Thousand One Hundred and Twenty-nine (3129) of the Code.

Passed on file.

House File No. 441, a bill for an act to amend Subdivision Seven (7) of Section One Thousand Three Hundred and Four (1304) of the Supplement to the Code, relating to the exemption of property from taxation.

Read first and second time and referred to Committee on Ways and Means.

House File No. 244, a bill for an act to amend Section Three Hundred and Three-a (303-a) of the Supplement to the Code, relating to the compensation of Assistant County Attorneys.

Read first and second time and referred to Committee on Compensation of Public Officers.

By consent, the motion to reconsider the vote by which Senate File No. 312 passed the Senate, filed by Senator Moon March 27, was withdrawn.

Senator Dowell moved that the Senate withdraw its request for the recall from the House of Senate File No. 312.

Carried.

INTRODUCTION OF BILLS.

By Senator Taylor, Senate File No. 356, a bill for an act to legalize the annexation of certain territory to the city of Centerville, Appanoose county, Iowa, and the election of officers by said city as enlarged.

WHEREAS, On the 17th day of December, 1906, the city council of the city of Centerville, Iowa, under the provisions of Section Six Hundred and Fifteen (615) of the Code enlarged the boundaries of the said city in accordance with the terms of the resolution provided for in said section; and,

WHEREAS, On the 15th day of January, 1907, an election was held to determine whether said territory should be annexed to the city, at which election the electors residing in the territory proposed to be annexed, together with the electors of the original city, voted upon said question; and,

WHEREAS, A proclamation announcing the result of said election was duly published by the mayor; and,

WHEREAS, Neither the proclamation of the mayor of the time and place of holding said election, nor the proclamation announcing the result of said election, were spread upon the records of said city; and,

WHEREAS, Therefore, to-wit, on the 4th day of February, 1907, an ordinance was passed by the city council of the city of Centerville, Iowa, establishing new ward lines to accord with the annexed territory; and,

WHEREAS, On the 25th day of March, 1907, an election of city officers was held in the city of Centerville, Iowa, as enlarged; and,

WHEREAS, Doubts have arisen as to the legality of said annexation so made, the operation of new ward lines by the passage of the ordinance referred to, and the validity of the election held as above referred to, on the 25th day of March, 1907; therefore,

Read first and second time and referred to Committee on Judiciary.

REPORTS OF COMMITTEE.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 348, a bill for an act to amend the law as it appears in Section Twenty-six Hundred and Eight (2608) of the Supplement to the Code, relating 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 do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 260, a bill for an act to provide for the meetings of the State Poultry Association, to define and designate the officers thereof, to provide for the organization of district and county associations, the making of annual reports and statements of the proceedings of the association, the printing and distribution of copies of the reports, and making annual appropriations therefor, beg leave to report that they have

had the same under consideration and recommend that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 47, a bill for an act to amend the law as it appears in Chapter Eighty-eight (88), laws of the Thirtieth General Assembly, relating to compensation of Deputy and Assistant Dairy Commissioners, beg leave to report that they have had the same under consideration and recommend that the same be reported back to the Senate without recommendation.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 281, a bill for an act to appropriate not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00) for experiments in animal breeding and feeding, beg leave to report that they have had the same under consideration and recommend that the same be amended as follows:

Strike out in lines six and seven, Section One (1) of the original bill the words "developing types of horses hardier, more resistant to disease, and better suited to climatic conditions," and insert in lieu thereof "the breeding and development of horses and other domestic animals, with the view of producing types hardier, more prolific, more resistant to disease, and better suited to our market demands and climatic conditions."

And when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 301, a bill for an act to indemnify C. T. Jones for money paid out by him in contesting a civil action instituted against him by 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. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 317, a bill for an act to amend Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly, relating to appropriations for enforcement of pure food law, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 351, a bill for an act to amend Section Thirteen (13), Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly, relating to appropriation for the enforcement of the pure food law, beg leave to report that they have had the same under consideration and recommend that the same do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 141, a bill for an act to amend Section Twenty-four Hundred and Eighty-three (2483) of the Supplement to the Code, beg leave to report that they have had the same under consideration and recommend that the same be reported back to the Senate without recommendation.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Maytag, Senate File No. 357, a bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts.

Read first and second time and placed on Calendar.

By Senator Maytag, Senate File No. 358, a bill for an act making appropriations for the State University of Iowa.

Read first and second time and placed on Calendar.

By Senator Maytag, Senate File No. 359, a bill for an act making appropriations for the State Normal School.

Read first and second time and placed on Calendar.

By Senator Maytag, Senate File No. 360, 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.

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 returns the request for the recall of Senate File No. 312, a bill for an act to provide for the collection and disposition of garbage.

C. R. BENEDICT,
Chief Clerk.

The Senate resumed consideration of House File No. 49.

The amendment offered by Senator Peterson was adopted.

By consent the amendment offered by Senator Allen was withdrawn.

Senator Peterson moved the adoption of the following amendment:

I move to amend Section Two (2) by striking out the words "customary short rates" appearing in line ninety-three, Subdivision Eleven (11) of the printed bill and inserting in lieu thereof the words "earned pro rata portion of the premium and fifty cents policy fee additional."

The amendment was lost.

Senator Gilliland moved the adoption of the following amendment:

I move to strike out the words "and submit to examination under oath by any person named by this company and subscribe the same" as they appear in Section Two (2), Subdivision Fifteen (15), lines one hundred and thirteen and one hundred and fourteen of the printed bill.

The amendment was lost.

Senator Jones moved the adoption of the following amendment:

Move to amend Section Two (2), Paragraph Fifteen (15) in line one hundred and fourteen, by striking out the words "as often as reasonably" and insert in lieu thereof the word "if."

The amendment was lost.

The bill as amended was read for information.

Senator DeWolf moved to reconsider the vote by which the amendment to subdivision (a) of paragraph 4 of Section Two (2) of the bill was adopted.

Further consideration of the bill was postponed.

Senator Allen filed the following amendment and asked that it be printed in the Journal:

Amend by adding as Section Five (5) after the period at the end of Subsection Four (4), Section Twenty (20) the words:

SEC. 5. Provided, that nothing in this act shall compel companies or associations organized under Chapter Five (5), Title Nine (9) of the Code, to use the policy provided for herein.

REPORT OF COMMITTEE.

Senator Hopkins, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 385, a bill for an act to amend Section Two Thousand and Twenty-two (2022) of the Code, relating to cattle guards at private crossings of railways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

Senator Hopkins, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 354, a bill for an act defining, regulating and conferring rights and powers upon automobile railways, additional to Chapter Four (4), Title Ten (10) 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.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

Senator Hopkins, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 396, a bill for an act defining bucket shop and bucket shopping, making it a crime to maintain and operate the same, and providing penalties for so doing, beg leave to report that they 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.

Senator Hopkins, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 241, a bill for an act to amend Section One (1) of Chapter Eighty-nine (89) of the laws of the Thirty-first General Assembly, relating to actions against joint carriers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

F. M. HOPKINS,

Chairman.

Ordered passed on file.

Senator Hopkins, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 344, a bill for an act to amend Section Number Twenty-one Hundred and Sixteen (2116) of the Code, relating to the duties of railroads as to furnishing transportation, beg leave to report that they 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.

Senator Hopkins, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 52, a bill for an act defining the liability of railroads and railway companies in the case of failure to transport live stock at a certain rate of speed, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. M. HOPKINS,

Chairman.

Ordered passed on file.

The President announced that he had signed, in the presence of the Senate, House Files No. 251, 282, 324, 453.

REPORT OF COMMITTEE.

Senator Hopkins, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 379, a bill for an act to prohibit common carriers of passengers from issuing, furnishing, or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act; also for annual reports, and for the repeal of Chapter Ninety (90), laws 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 be amended as follows:

That Section Two (2) of said bill be amended by striking out all the words between Subdivision (a) and Subdivision (b) and inserting in lieu thereof the following: "The officers, agents, employes, attorneys, physicians and surgeons of such common carriers of passengers, whose time is solely devoted to the service of common carrier of passengers, and the families of such officers, agents, employes, attorneys, physicians and surgeons, local attorneys not exceeding one attorney or firm of attorneys in each county of the State, except in counties where sessions of the Superior and District Court are held in two or more cities or towns and in counties where division stations are located at points other than the county seat, two attorneys or firms of attorneys, local physicians or surgeons not exceeding two in each county of the State and not to exceed one eye specialist for each railroad division, whose time may not be solely devoted to the service of common carrier of passengers; provided, no person shall be held to be a physician, surgeon, attorney, agent or employe for such common carrier unless he is in good faith employed to render necessary service within the legitimate scope of his profession or employment; and in any prosecution under this act, if it be claimed that a free ticket, free pass, or free transportation was wrongfully issued or given to a physician, surgeon, attorney, agent or employe it shall be incumbent upon the defendant to prove the character of the professional services rendered or to be rendered.

And that Section Two (2) be further amended by striking out the period at the end of the section following the word "companies" and inserting a semicolon in lieu thereof and by adding after said semicolon the following: "(o) school children to and from public or parochial schools; provided, that the provisions of this act shall not be construed to prohibit the interchange of passes for the persons to whom free tickets, free passes or free transportation may be furnished or given under the provisions of this section."

The passage of this act shall not operate to repeal the provisions of Section Two Thousand One Hundred and Fifty (2150) of the Code so far as said section refers to the members of the National Guard, nor shall it operate to repeal Section Two Thousand One Hundred and Fifty-one (2151) of the Code.

And when so amended the bill do pass.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 251, a bill for an act to legalize the incorporation of the town of Bridgewater, Iowa, the election of its officers, the passage of its ordinances and resolutions and acts done by the city council in the adoption and enforcement of its ordinances and resolutions.

Also:

House File No. 282, a bill for an act to repeal Sections Two Thousand One Hundred and Fifty-three (2153) and Two Thousand One Hundred and Fifty-five (2155) of the Code, relating to joint freight rates over two or more connecting lines of railway between points within this State, and relating to the power and duties of the Board of Railroad Commissioners, and to enact substitutes therefor.

Also:

House File No. 324, a bill for an act to repeal Chapter Ninety-eight (98), acts of the Thirty-first General Assembly, and to enact a substitute therefor, relative to the registration and publication of pedigrees.

Also:

House File No. 453, a bill for an act to legalize the action of the Independent School District of Star No. 6 of Center township, Wapello county, Iowa, and of the Independent School District of Ottumwa, Iowa, consolidating the former with and merging it into the latter.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

Senator Crossley moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A.M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, MARCH 29, A. D. 1907.

Senate met in regular session at 9 o'clock A.M., President Garst presiding.

Prayer was offered by the Rev. D. W. Cassat of Corning.

PETITIONS AND MEMORIALS.

Senator Elerick presented petition of residents of Milton, Iowa, favoring the passage of the bill establishing a Board of Osetopathic Examiners.

Referred to Committee on Public Health.

Senator Clark presented petition of citizens of Keokuk county asking favorable consideration of House File No. 438 relative to length of term of county officials.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Taylor, Senate File No. 361, a bill for an act to authorize and direct Boards of Supervisors in the State of Iowa in counties adjoining and bordering upon the state line of Missouri, directing the said Boards of Supervisors to agree with the supervisors in the adjoining counties in the state of Missouri as to the portion of highways on said state line which should be kept in repair by the authorities in each of the said states.

WHEREAS, Public highways have been established by prescription and otherwise, located upon the state line between the states of Iowa and Missouri; and,

WHEREAS, The said public highways are not kept in repair by or properly worked by the authorities upon whom such duties devolve, because the said authorities do not agree as to the portion of said high-

ways to be kept in repair by the authorities of Iowa, and of Missouri; and,

WHEREAS, The said states are mutually interested in said public highways and the repair thereof, and there should be a mutual understanding between said states in regard to the repair of said highways; and,

WHEREAS, The Board of Supervisors in the State of Iowa have general supervision of highways in their respective counties and similar bodies or commissions have supervision in the state of Missouri; and the said officials, in adjoining counties in Iowa, should be directed, in the event the Legislature of Missouri adopts similar directions, to meet the authorities of the adjoining counties in Missouri, and mutually agree and assign the parts and portions of said public highways upon said state line of Iowa and Missouri.

Read first and second time and referred to Committee on Highways.

REPORTS OF COMMITTEE.

House returns Senate request for the recall of Senate File No. 212, a bill for an act to provide for the collection and disposal of garbage.

Passed on file.

REPORT OF COMMITTEE.

Senator Kinne, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 404, a bill for an act to amend Section One Thousand Five Hundred and Thirty (1530) of the Supplement to the Code, relating to county road fund and how it is paid out, beg leave to report that they have had the same under consideration and recommend that the same be amended as follows:

Amend the title by inserting after the word "amend" and before the word "section" in the first line thereof the words "the law as it appears in"; further amend the title by inserting between the word "is" and the word "paid" in the third line thereof the words "to be."

Amend Section One (1) by inserting after the word "be" and before the word "amended" in the third line thereof the words "and the same is hereby"; further amend by striking the last three lines from Section One (1) of the bill.

And when so amended the bill do pass.

GEO. KINNE,
Chairman.

Ordered passed on file.

Senator Kinne, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 311, a bill for an act to amend Chapter One (1), Title Seven (7) of the Code, relating to the improvement of main roads, beg leave to report that they have had the same under consideration and recommend the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 311.

A BILL for an act to amend Chapter One (1), Title Seven (7) of the Code, relating to improvement of main roads.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. This act shall be amendatory to Chapter One (1), Title Seven (7) of the Code.

SEC. 2. For the improvement of the main roads the Board of Supervisors, upon the petition of the owners of a majority of the acres of lands contiguous to any road or part thereof mentioned in said petition as described in Section Two (2) hereof, may order the improvement, making construction or re-construction of such part described in the petition as provided in this act. Said petition shall be filed in the office of the Auditor of the county.

SEC. 3. Upon the filing of said petition the Board of Supervisors, at a regular or at a special meeting called for that purpose, shall determine whether such improvement shall be made; provided, the petition is signed by the owners of the requisite number of acres of land, within two miles of said road described in said petition; said two miles shall be construed to mean two miles parallel on each side and at the point of beginning and ending of said road.

SEC. 4. If the Board of Supervisors shall determine it to be advisable or necessary to make contract or re-construct any road improvement authorized in this chapter it shall, in a resolution, declare such necessity or advisability, stating the method of construction and the kind of material to be used and the contiguous property to be assessed therefor, and designate the location, and shall publish twenty days' notice of its intention to make such improvement in two official newspapers of the county for three consecutive issues of said newspapers, stating generally the nature of the improvement, its location, the terminals thereof; the last of said publications shall be at least five days before the time fixed for the decision of the Board of Supervisors, that said improvement shall be made, at which time the owners of the property subject to assessment for the payment of said improvement may file objections to the contemplated improvement; the Board of Supervisors, after the consideration of all objections made, shall determine what changes, if any, shall be made and may order the improvement to be made and order the County Surveyor or other surveyor, at its discretion, to prepare a plat and specifications showing the location and general nature of the improvement, the terminals thereof, the kind of materials to be used, estimate of the cost thereof, and the amount assessable to each tract of land liable to assessment for the payment of said improvement.

SEC. 5. Contiguous property referred to in this chapter shall mean all lands and right of way of any railway company lying within three

miles of the terminals and outer lines of said proposed road to be improved.

SEC. 6. After such improvement is ordered the Board of Supervisors shall provide for the publication of a notice to be signed by the Auditor of the county asking proposals for doing such work, prescribing generally the general nature of said work, the location and terminals thereof, the kind of material to be used, when the work shall be completed, and the terms of payment, and the time said proposals shall be acted upon. The supervisors, at their discretion, at any time may divide the said improvement into parts and sections and may allot said work to the lowest responsible bidder or bidders or may reject any and all bids. All bids must be accompanied with a certified check acceptable to the Board of Supervisors to be made payable to the order of the Treasurer of the county as security that the bidder will enter into a contract for doing the work contained in his bid according to the plans and specifications in the amount of ten per cent of the amount of the bid; all such checks, when the bid is not accepted, shall be returned to the respective bidders. The check of the successful bidder shall be retained until the completion and acceptance of the work by the Board of Supervisors and returned to the said bidder.

SEC. 7. When the bid for the construction or reconstruction of the improvement of any highway is accepted the Board of Supervisors shall enter into a contract in the name of the county for the construction of said improvement, according to the plans and specifications, and to keep same in repair for one year after acceptance and to require a bond to be approved by the Board of Supervisors with sufficient indemnity for the faithful performance of the contract.

SEC. 8. When the said improvement is accepted by the Board of Supervisors the said board shall file a plat and schedule in the Auditor's office of the county of the said highway improvement and the description of the land contiguous thereto and subject to assessment and the names of the owners as appears from the last preceding assessment book for taxes, and giving the number of acres and the amount of each lot or parcel of ground subject to assessment, and the amount the same is subject to be assessed for such improvement and against any railway, which plat shall be subject to public inspection.

SEC. 9. After filing the aforesaid plat and schedule the Auditor of the county shall give notice by two publications in each of two official newspapers published in the county and the posting of four notices in conspicuous places along the line of the highway improvement, that said plat and schedule are on file in the office of the Auditor, and within ten days after the first publication all objections to the prior proceeding must be made in writing and filed with the Auditor, and the Board of Supervisors having heard such objections and made the necessary corrections shall then make the special assessments as shown in said plat and schedule as corrected and approved for the payment for said improvement as follows: To the county, one-third; to the township or townships in which the highway is located, one-third in proportion to extent of improvement in each township; to the land and railroad right of way located within two miles of the terminals and sides of said road, one-third. The

assessments so made shall be a lien on the said properties subject to general taxes until paid.

SEC. 10. All objections to the prior proceedings not made to the Board of Supervisors at the time and in the manner herein provided shall be waived, except where fraud is shown.

SEC. 11. The assessments made in said plat and schedule as corrected and approved shall be levied at one time by resolution against the contiguous property on such improved highway, and when levied shall be certified to the County Treasurer and by him placed upon the tax books. When levied the Board of Supervisors shall issue certificates to the contractor, which shall be issued for said improvement for the proportion to be assessed against the contiguous lands and railroad right of way. The proportion levied against the county and townships shall be paid in cash. If the owner of any parcel of land or railway, the assessment against which is embraced in any certificate provided for herein within thirty days from the date of such levy of such assessment, declare their option in writing to be filed with the Auditor to pay the said levy of assessment in ten allotments such levy of assessment against the parcel of land or railway of such owner shall be payable in ten equal installments, the first of which with interest on the whole assessment not to exceed six per cent per annum, shall mature and be payable the following March or October after the date of levy and the other installments with interest as aforesaid on the whole amount unpaid annually thereafter at the same time and in the same manner as the March or October semi-annual payments of ordinary taxes. All such assessments with interest from the date of levy shall become delinquent on the first day of March next after their maturity and shall bear the same interest with the same penalties as ordinary taxes.

SEC. 12. Each installment of any special assessment shall bear interest from the date of the levy not to exceed six per cent per annum which shall be due and payable at the March semi-annual payment of ordinary taxes. Upon the payment of all installments there shall be computed and collected the installment and interest on the whole assessment remaining unpaid up to the date of payment; provided, at any time the whole amount of the assessment and all the installments may be paid by the owner of the land or railway company with interest to date of payment.

SEC. 13. The Auditor shall place the installments due and the whole amount of the assessment on the tax books each year before the same are delivered to the Treasurer the same as ordinary taxes, and the Treasurer shall collect the said assessments as ordinary taxes.

SEC. 14. The collection of any assessment shall be made as of ordinary taxes and all laws for the collection of ordinary taxes shall apply to all levies and assessment for special taxes provided for herein.

SEC. 15. The Board of Supervisors are hereby empowered to levy at the same time it levies other taxes not to exceed five mills special road tax to carry out the provisions of this act.

SEC. 16. The Township Trustees are hereby authorized to determine the amount necessary for the construction and improvement of highways in their respective townships provided for in this act not to exceed

in any one year five mills and certify to the Board of Supervisors the said amount, which amount shall be levied by the Board of Supervisors at the same time other taxes are levied on the property of the township.

And when so amended the bill do pass.

GEO. KINNE,
Chairman.

Substitute was read first and second time and passed on file.

Senator Hopkins moved that the rules be suspended and House File No. 379 be made a special order for tomorrow morning at 10 o'clock.

Carried.

Senate resumed consideration of House File No. 49.

The motion filed by Senator DeWolf to reconsider the vote by which the amendment of Subdivision (a) of Paragraph (4) of Section Two (2) of the bill was adopted, prevailed.

Senator Peterson asked to divide the amendment offered by him, and moved the adoption of the following:

Amend by striking out the words "now has or" following the word "insured" in the first line of Subdivision (a) in line twenty-four of the printed bill.

The amendment was lost.

By consent the balance of the amendment was withdrawn.

The amendment to Subsection Four (4) of Section Twenty (20), offered by Senator Allen, was adopted.

President Pro Tem. Smith was called to the chair at 9:45 o'clock.

Senator Jamison of Clark moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McManus, Maytag, Moon, Newberry, Nichols, Seeley, Smith of Mitchell, Stirton,

Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson, of Fayette, Wilson of Clinton—41.

The nays were:

Senators Peterson, Young—2.

Absent or not voting:

Senators Gale, Gilliland, Lambert, McKlveen, Mattes, Saunders, Smith of Des Moines—7.

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 rules be suspended for the consideration of Senate File No. 47.

Senate File No. 47, a bill for an act to amend the law as it appears in Chapter Eighty-eight (88), laws of the Thirtieth General Assembly, relating to compensation of Deputy and Assistant Dairy Commissioners, with report of Committee on Appropriations without recommendation, was taken up, considered, and the report of the committee adopted.

Senator Newberry moved the adoption of the following amendments recommended by the Committee on Compensation of Public Officers:

Amend Section One (1) by striking out the word "fifteen" in the fourth line and substituting the word "fourteen" in lieu thereof and by striking out the word "twelve" in the fifth line and substituting the word "fourteen" in lieu thereof.

Amend Section Two (2) by striking out the word "Daily" in the third line thereof.

Adopted.

Senator Newberry moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Burgess, Clark, DeWolf, Dowell, Dunham, Eekles, Elerick, Ericson, Foley, Frudden, Gale, Hopkins, Hughes, Jackson, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith

of Mitchell, Stirton, Stookey, Stuckslager, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—37.

The nays were:

Senators Jamieson of Page, Moon—2.

Absent or not voting:

Senators Bleakly, Bruce, Crossley, DeArmand, Gilliland, Jamison of Clarke, Jones McKlveen, Saunders, Taylor, Turner—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

The time having arrived for the special order, House File No. 266, a bill for an act to repeal Section Two Thousand Five Hundred and Seventy-eight (2578) of the Code, and to enact a substitute therefor, relating to the revocation of physicians' certificates, was taken up and considered.

The bill was read for information.

Senator DeWolf moved the adoption of the following amendment:

Amend Section Two (2) of the bill by striking out the comma after the word "notice" in line four of the section and the words "under registered mail to be sent to the licentiate at his last known place of residence" and to insert in lieu thereof the following: "to be personally served upon the defendant in the manner prescribed for the serving of original notice in civil actions."

Adopted.

Senator Jones moved the adoption of the following amendment:

Amend by striking out of Section Two (2), line fourteen the following: "named in Section One (1) of the act" and insert in lieu thereof the word "charged."

Adopted.

Senator DeWolf moved the adoption of the following amendment:

Amend by adding the following as Section Three (3) of the bill:

SEC. 3. Any person aggrieved by any ruling or order entered under the provisions of this act shall have the right of an appeal to the Dis-

strict Court of the county of the residence of the defendant, upon giving notice to the Board of Medical Examiners of such appeal within twenty (20) days after the entry of such ruling, order or judgment.

Senator DeArmand moved the adoption of the following amendment to the amendment:

Strike out the words "of the county of the residence of the defendant" and insert in lieu thereof the words "in the county where the alleged offense was committed."

On the adoption of the amendment to the amendment, a roll call was demanded.

On the question, "Shall the amendment to the amendment be adopted?"

The yeas were:

Senators Allen, Bruce, Clark, Crossley, DeArmand, Eckles, Elerick, Ericson, Frudden, Gale, Hughes, Jamieson of Page, Jones, Kimmel, Kinne, McManus, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Turner, Wade, Warren, Whipple, Whiting, Young—30.

The nays were:

Senators DeWolf, Gilliland, Smith of Des Moines, Stookey, Taylor—5.

Absent or not voting:

Senators Bleakly, Burgess, Dowell, Dunham, Foley, Hopkins, Jackson, Jamison of Clarke, Lambert, McKlveen, Mattes, Nichols, Stuckslager, Wilson of Fayette, Wilson of Clinton—15.

So the amendment to the amendment was adopted.

The amendment as amended was adopted.

The President resumed the chair at 11:55 o'clock.

Senator Young moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frud-

den, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators Dunham, Jamison of Clarke, Lambert, McKlyeen, Warren—5.

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. 111 and 212.

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. 242, a bill for an act to create a commission to examine, revise and codify the laws relating to the public schools, and such other purposes as may be incident thereto, beg leave to report that they have had the same under consideration and recommend that the same be amended as follows:

Amend Section One (1) by striking out the word "five" in line two and inserting in lieu thereof the word "three"; by striking out the word "two" in line two and inserting in lieu thereof the word "one"; by inserting after the word "be" in said line two the word "an"; by striking out the letter "s" at the end of the word "educators" in line two; by striking out the words "who shall be appointed by the Superintendent of Public Instruction" in lines three and four; by striking out the word "three" in line four and inserting in lieu thereof the word "two"; and by inserting before the word "practicing" in said fourth line the words "of whom shall be."

Amend Section Seven (7) by striking out the words and figures "Six Thousand (6,000)" in line two and inserting in lieu thereof the words and figures "Three Thousand (3,000)," and by inserting between the word "dollars" and the word "is" in the third line the words "or so much thereof as is necessary."

And when so amended the bill do pass.

JAMES J. CROSSLEY,
Chairman.

Adopted.

Senator Crossley moved that the bill be referred to Committee on Appropriations.

Carried.

Senator Crossley, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 427, a bill for an act to amend Section Twenty-seven Hundred and Seventy-seven (2777) of the Code, relative to requirements of kindergarten teachers, beg leave to report that they have had the same under consideration and recommend that the same do pass.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

Senator Mattes, 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. 339, a bill for an act to amend Section Fifty-six Hundred and Sixty-three (5663) of the Code as it appears in the section of said number in the Supplement to the Code, relative to the number of guards in the State penitentiaries, beg leave to report that they have had the same under consideration and recommend that the same do pass.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Turner, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House File No. 353, a bill for an act to amend the law as it appears in Section Twenty-two Hundred and Eleven (2211) of the Supplement to the Code and Section Eighteen (18) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to repeal Section Twelve (12) of Chapter Seventy-seven (77) of the acts of the Thirtieth General Assembly and Section Fourteen (14) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to enact substitutes therefor, and to provide for stoppage of compensation due officers and men of the Iowa National Guard for loss or damage to property issued to them by the State for military purposes, beg leave to report that they have had the same under consideration and recommend that the same be amended as follows:

Amend Section One (1) by striking out the comma after the word "bands" in the sixth line of said section and insert in lieu thereof the words and figures "the sum of Fifty (\$50.00) Dollars, and for like purposes to each."

Also further amend Section One (1) by striking out the words and figures "Twenty-five (\$25.00) Dollars" in the eighth line of said section and insert in lieu thereof the words and figures "Fifty (\$50.00) Dollars."

Also amend Section Two (2) by striking out the words and figures "Two Hundred (\$200.00) Dollars" in the eleventh line of said section and insert in lieu thereof the words and figures "Two Hundred and Fifty (\$250.00) Dollars."

Also further amend Section Two (2) by striking out the words and figures "One Hundred (\$100.00) Dollars" in lines twelve and thirteen of said section and insert in lieu thereof the words and figures "One Hundred and Twenty-five (\$125.00) Dollars."

And when so amended the bill do pass.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 212, a bill for an act to provide for the government of certain cities, and the adoption thereof by special election, additional to Title Five (5) of the Code.

Also:

Senate File No. 111, a bill for an act relating to the organization and officers of cities and towns, amending Chapters Two (2) and Nine (9), Title Five (5) of the Code, and of the law as it appears in the Supplement to the Code, and providing for the appointment of a board of public works and defining its duty, and providing a penalty for the violation of the provisions of this act.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 212, a bill for an act to provide for the government of certain cities, and the adoption thereof by special election, additional to Title Five (5) of the Code.

Also:

Senate File No. 111, a bill for an act relating to the organization and

officers of cities and towns, amending Chapters Two (2) and Nine (9), Title Five (5) of the Code, and of the law as it appears in the Supplement to the Code, and providing for the appointment of a board of public works and defining its duty, and providing a penalty for the violation of the provisions of this act.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 212, a bill for an act to provide for the government of certain cities, and the adoption thereof by special election, additional to Title Five (5) of the Code.

Also:

Senate File No. 111, a bill for an act relating to the organization and officers of cities and towns, amending Chapters Two (2) and Nine (9), Title Five (5) of the Code, and of the law as it appears in the Supplement to the Code, and providing for the appointment of a board of public works and defining its duty, and providing a penalty for the violation of the provisions of this act.

W. B. SEELEY,
Chairman.

Adopted.

Senator Ericson moved that the rules be suspended for the consideration of Senate File No. 203.

Carried.

Senate File No. 203, a bill for an act requiring all corporations doing business within the State to make an annual report and pay an annual license fee to the Secretary of State, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Further consideration of the bill was postponed.

Senator Dowell moved that the Senate adjourn until 1:30 o'clock P.M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock, President Garst presiding.

On request of Senator Kimmel, leave of absence was granted Senator Kinne until tomorrow.

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 requests the recall of the following bill, in which the concurrence of the Senate was asked:

House File No. 108, a bill for an act limiting the indebtedness of state and savings banks, and repealing Section Eighteen Hundred and Fifty-five (1855) 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 the following bill, in which the concurrence of the House was asked:

House File No. 380, a bill for an act to legalize the incorporation of the town of Garwin, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such.

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 the following bill, in which the concurrence of the House was asked:

House File No. 342, a bill for an act to repeal Section Fourteen Hundred and Eighty-three (1483) of the Code, relating to roads and highways, 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 the following bill, in which the concurrence of the House was asked:

House File No. 156, a bill for an act to amend Section Seven Hundred and Seventy-one (771) of the Code Supplement and Section One (1), Chapter Twenty-nine (29) of the acts of the Thirtieth General Assembly, relating to the construction of viaducts.

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 the following bill, in which the concurrence of the House was asked:

House File No. 362, a bill for an act repealing Sections Twenty-one Hundred and Sixty-five (2165) and Twenty-one Hundred and Sixty-six (2166) of the Code, and enacting a substitute therefor, pertaining to express companies.

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 the following bill, in which the concurrence of the House was asked:

House File No. 202, a bill for an act to amend Section Thirteen Hundred and Four (1304) of the Code, relating to exemptions from taxation.

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 the following bill, in which the concurrence of the House was asked:

House File No. 389, a bill for an act amendatory of and additional to Chapter Fifteen (15) of the Code and Supplement to the Code, relative to the care and propagation of fish.

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 the following bill, in which the concurrence of the House was asked:

House File No. 145, a bill for an act to legalize conveyances of real estate by foreign 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 concurred in Senate amendments to the following bill, in which the concurrence of the House was asked:

House File No. 288, a bill for an act making appropriations to the State Historical Society of Iowa.

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 the following bill, in which the concurrence of the House was asked:

House File No. 294, a bill for an act to legalize the incorporation of the town of Clutier, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such.

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 the following bill, in which the concurrence of the House was asked:

House File No. 143, a bill for an act to indemnify Charles H. Tribby for damages caused by sewage from the State Hospital for Insane at Mount Pleasant, Iowa.

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 the following bill, in which the concurrence of the House was asked:

House File No. 63, a bill for an act to amend Section Twenty Hundred and Fifty-seven (2057) of the Code, relating to fences required by railroad companies.

C. R. BENEDICT,
Chief Clerk.

Senator Crossley moved that the rules be suspended for the consideration of Senate File No. 280.

Carried.

THIRD READING OF BILLS.

Senate File No. 280, 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, and repealing Chapter Forty

(40), laws of the Thirtieth General Assembly, and Chapters Forty-Five (45) and Forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections, was taken up and considered.

On the adoption of the report of the conference committee, a roll call was demanded.

On the question, "Shall the report of the conference committee be adopted?"

The yeas were:

Senators Allen, Burgess, Clark, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators Bleakly, Bruce, DeArmand, DeWolf, Jamison of Clarke, Jones, Kinne, McKlveen—8.

So the report of the conference committee was adopted.

Senator Crossley moved that the amendments recommended by the conference committee in its report on Senate File No. 280 be adopted, and that the amendments as therein set forth and read be made a part of the bill as it passed the Senate.

On the question, "Shall the amendments be adopted?"

The yeas were:

Senators Allen, Burgess, Clark, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Bleakly, Bruce, DeArmand, DeWolf, Jamison of Clarke, Jones, Kinne, McKlveen, Saunders—9.

So the amendments were adopted.

Senator Burgess moved that House File No. 341 be recalled from the Committee on Cities and Towns and referred to Committee on Railroads.

Carried.

Senate resumed consideration of Senate File No. 203.

Senator Hopkins moved the previous question.

Carried.

On the adoption of the substitute recommended by the Committee on Judiciary, a roll call was demanded.

On the question, "Shall the committee substitute be substituted for the original bill?"

The yeas were:

Senators Bleakly, Bruce, DeWolf, Foley, Frudden, Gale, Jackson, Jamieson of Page, Jamison of Clarke, Jones, McManus, Saunders, Smith of Des Moines, Stookey, Stuckslager, Taylor, Wade, Whipple, Whiting—19.

The nays were:

Senators Allen, Burgess, Clark, Crossley, DeArmand, Dunham, Eckles, Elerick, Ericson, Gilliland, Hopkins, Hughes, Kimmel, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Mitchell, Stirton, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Young—28.

Absent or not voting:

Senators Dowell, Kinne, McKlveen—3.

So the motion was lost.

Senator Ericson moved the adoption of the following amendment:

Amend Section One (1) by striking out the comma after the word "corporations" in the first line thereof and insert the following: "except for mutual telephone companies."

Senator Dunham moved to amend the amendment by adding thereto the following words: "and farmers' co-operative creamery companies".

The amendment to the amendment was lost.

On the adoption of the amendment a roll call was demanded.

On the question, "Shall the amendment be adopted".

The yeas were:

Senators Bruce, Ericson, Hughes, Jamieson of Page, Maytag, Nichols, Stuckslager, Warren, Whiting, Wilson of Clinton—10.

The nays were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Foley, Gale, Gilliland, Hopkins, Jackson, Jamison of Clarke, Jones, Kimmel, Lambert, McManus, Mattes, Moon, Newberry, Peterson, Seeley, Smith of Mitchell, Stirton, Stookey, Taylor, Wilson of Fayette, Young—31.

Absent or not voting:

Senators DeWolf, Frudden, Kinne, McKlveen, Saunders, Smith of Des Moines, Turner, Wade, Whipple—9.

So the amendment was lost.

Senator Stookey moved the adoption of the following amendment:

I move to amend Section Three (3) of the printed bill by striking out of line five the words "five dollars on capital stock up to ten thousand dollars."

Adopted.

Senator Young was called to the chair at 2:20 o'clock.

Senator Jackson moved the adoption of the following amendments:

Amend by striking out Sections Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12) of the bill and insert in lieu thereof the following:

SEC. 3. Any corporation which shall fail or refuse to make such report to the Secretary of State, within thirty days after demand therefor, shall be subject to a fine of Twenty-five Dollars (\$25.00) for each offense, to be recovered in a suit brought by and in the name of the State of Iowa, and the proceeds derived from such suits shall, after collection, be paid to the Secretary of State. As an additional and further penalty, the charter of such corporation shall be subject to forfeiture, and any County Attorney shall, upon instructions from the State so to do, bring suit in the name of the State against such corporation to forfeit its charter; provided, however, that no forfeiture shall be decreed if, before the decree of forfeiture, the corporation shall pay to the Secretary of State all amounts which may be due the State for fine theretofore accrued by reason of the failure of such corporation to make the reports herein provided.

Sec. 4. This act shall not apply to corporations organized for religious, educational, scientific or charitable purposes.

Senator Allen moved the adoption of the following amendment as a substitute for the amendment offered by Senator Jackson:

Amend the bill by striking out the figures "12" following abbreviation "Sec." of Section Twelve (12) and insert the figures "13" and insert the following, to be numbered "Section 12": "That the Secretary of State shall at any time within two years after the forfeiture of the certificate of incorporation or permit, reinstate and reissue charters to such corporations of this State whose charters have been forfeited under the provisions of this act, and reissue permits to transact business in this State to foreign corporations whose permits have been revoked under the provisions of this act; provided, that such corporations shall first have paid the annual license fee, provided for herein, and such expenses as the State may have incurred in forfeiting the charters or permits.

The President resumed the chair at 2:40 o'clock.

Senator Jamison of Clarke raised the point of order that the amendment to the amendment offered by Senator Allen to the amendment of Senator Jackson is not germane, and therefore out of order.

The President ruled the amendment to the amendment was germane and in order.

On the adoption of the amendment to the amendment, a roll call was demanded.

On the question, "Shall the substitute amendment to the amendment be adopted?"

The yeas were:

Senators Allen, Burgess, Clark, Crossley, Dowell, Dunham,

Eckles, Ericson, Hopkins, Hughes, Jamieson of Page, Kimmel, Lambert, Mattes, Maytag, Moon, Newberry, Peterson, Smith of Mitchell, Stirton, Turner, Wilson of Fayette, Young—23.

The nays were:

Senators Bleakly, Bruce, DeArmand, Gilliland, Jackson, Jamison of Clarke, Jones, McManus, Nichols, Smith of Des Moines, Stookey, Taylor, Wade, Whipple—14.

Absent or not voting:

Senators DeWolf, Elerick, Foley, Frudden, Gale, Kinne, McKlveen, Saunders, Seeley, Stuckslager, Warren, Whiting, Wilson of Clinton—13.

So the substitute amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Ericson moved that the vote by which the amendment offered by Senator Whipple to Section Three (3) be reconsidered.

On motion to reconsider, a roll call was demanded.

On the question, "Shall the motion to reconsider prevail?"

The yeas were:

Senators Allen, Burgess, Clark, Crossley, Eckles, Ericson, Foley, Hopkins, Hughes, Kimmel, Mattes, Maytag, Moon, Newberry, Peterson, Smith of Mitchell, Stirton, Turner, Warren, Wilson of Fayette, Young—21.

The nays were:

Senators Bleakly, Bruce, DeArmand, DeWolf, Dowell, Dunham, Gale, Gilliland, Jackson, Jamieson of Page, Jamison of Clarke, Jones, McManus, Nichols, Smith of Des Moines, Stookey, Stuckslager, Taylor, Wade, Whipple, Whiting, Wilson of Clinton—22.

Absent or not voting:

Senators Elerick, Frudden, Kinne, Lambert, McKlveen, Saunders, Seeley—7.

So the motion to reconsider was lost.

Senator Allen moved the adoption of the following amendment:

Amend Section Four (4) by adding after the word "fee" and before

the word "provided" in line two of the printed bill the words "or make the report."

Adopted.

Senator Allen moved the adoption of the following amendment:

Amend Section Three (3) by adding after the period following the word "office" in line ten of the printed bill the words "provided, however, that nothing in this section shall require any corporation in process of liquidation to pay the annual license fee provided for herein."

Adopted.

Senator Ericson moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Gilliland, Hopkins, Kimmel, Lambert, Mattes, Maytag, Moon, Newberry, Peterson, Smith of Mitchell, Stirton, Turner, Warren, Wilson of Fayette, Young—26.

The nays were:

Senators Bruce, DeWolf, Foley, Frudden, Gale, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, McManus, Nichols, Saunders, Smith of Des Moines, Stookey, Stuckslager, Taylor, Wade, Whipple—19.

Absent or not voting:

Senators Kinne, McKlveen, Seeley, Whiting, Wilson of Clinton—5.

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 Smith of Mitchell, Senate File No. 362, a bill for an act to amend Chapter Four (4), Title Seven (7) of the Code, relating to the collection of a tax upon inheritances.

Read first and second time and placed on the Calendar.

Senator Smith of Mitchell moved that the bill be printed in the Journal.

Carried.

A BILL for an act to amend Chapter Four (4), Title Seven (7) of the Code, relating to the collection of a tax upon inheritances.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. Section Fourteen Hundred and Sixty-seven (1467) of the Code is hereby amended by adding thereto the following:

SEC. 1467-F. Where the share of the inheritance falling to the father, mother, husband, wife, lineal descendant, adopted child, or the lineal descendant of an adopted child of decedent, after the payment of all debts, exceeds the sum of Ten Thousand Dollars (\$10,000.00), such excess shall be subject to a tax as follows: On the first Ten Thousand Dollars (\$10,000) or fraction thereof, one (1) per centum; on the second Ten Thousand Dollars (\$10,000) or fraction thereof, two (2) per centum; on the third Ten Thousand Dollars (\$10,000) or fraction thereof, three (3) per centum; on the fourth Ten Thousand Dollars (\$10,000) or fraction thereof, four (4) per centum; and on any sum or interest beyond such fourth Ten Thousand Dollars (\$10,000), five (5) per centum; provided, however, that to the surviving spouse there shall be exempt the full net one-third of the estate, however large. All the provisions of this chapter relating to the manner of enforcement and collection of the collateral inheritance tax shall apply to the enforcement and collection of the direct inheritance tax herein provided for.

SEC. 2. This act, being deemed of immediate importance, shall be in force and effect from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

REPORTS OF COMMITTEES.

Senator Bleakly, 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. 346, a bill for an act to amend Sections Twenty-five Hundred and Seventy-four (2574) and Twenty-five Hundred and Seventy-five (2575) of the Code, relative to the salary of the Secretary of the State Board of Health, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN L. BLEAKLY,
Chairman.

Ordered passed on file.

Senator Bleakly, 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. 168, a bill for an act to amend the law as it appears in Section Sixty-five (65) of the Supplement to the Code, and to amend Sections Eighty-eight (88), Ninety-nine (99) and One Hundred and Sixteen (116) of the Code, relating to the compensation of the Secretary to the Governor, the Deputy Secretary of State, the Deputy Auditor of State and the Deputy Treasurer of State, and the Deputy Superintendent of Public Instruction, beg leave to report that they have had the same under consideration and recommend the same be amended as follows:

Amend title by striking out the word “and” in next to last line, and the period at the end of the last line, inserting a comma in lieu thereof, and by adding thereto “and the Deputy Clerk of the Supreme Court.”

Amend Section One (1) by striking out the words “Two Thousand” in the fourth line and inserting in lieu thereof the words “Eighteen Hundred.”

Amend Section Two (2) by striking out the words “Two Thousand” in the third line and inserting in lieu thereof the words “Eighteen Hundred.”

Amend Section Three (3) by striking out the words “Two Thousand” in the third line and inserting in lieu thereof the words “Eighteen Hundred.”

Amend Section Four (4) by striking out the words “Two Thousand” in the fourth line and inserting in lieu thereof the words “Eighteen Hundred.”

Amend by adding the following as Section Six (6): “That Section Two Hundred Five (205) of the Code be amended by striking out the words “Fifteen Hundred” in the fourth line and inserting the words “Eighteen Hundred” in lieu thereof.”

Amend by adding the following as Section Seven (7):

“This act, being deemed of immediate importance, shall be in force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.”

And when so amended the bill do pass.

JOHN L. BLEAKLY,
Chairman.

Adopted.

On motion of Senator Bleakly, the bill was referred to the Committee on Appropriations.

Senator Bleakly, 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. 122, a bill for an act to amend the law as it appears in Section Sixty-five (65) of the Supplement to the Code, and to amend Sections Eighty-eight (88), Ninety-nine (99) and One Hundred and Sixteen (116) of the Code, relating to the compensation of the Secretary to the Governor, the Deputy Secretary of State,

the Deputy Auditor of State and the Deputy Treasurer of State, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed for the reason that a House bill nearly identical with this bill has been reported for passage by this committee.

JOHN L. BLEAKLY,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Bleakly, 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. 405, a bill for an act to amend Section Six Hundred and Seventy-four (674) of the Supplement to the Code, relating to the compensation of Assessors and Deputies, beg leave to report that they have had the same under consideration and recommend that the same do pass.

JOHN L. BLEAKLY,
Chairman.

Ordered passed on file.

Senator Bleakly, 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. 350, a bill for an act to amend the law as it appears in Section One (1), Chapter Eighty-five (85), acts of the Thirtieth General Assembly, relating to salary of Commissioner of Bureau of Labor Statistics and his deputy, beg leave to report that they have had the same under consideration and recommend that the same be amended as follows:

Amend Section One (1) by striking out in the fourth line of the original bill the word "eighteen" and insert the word "sixteen" in lieu thereof, and by striking out the word "fifteen" in the fifth line and inserting the word "fourteen" in lieu thereof.

And when so amended the bill do pass.

JOHN L. BLEAKLY,
Chairman.

Ordered passed on file.

Senator Stookey, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate File No. 322, a bill for an act to amend Section Twenty-two Hundred and Seventy (2270) of the Code, relating to settlement of insane patients, beg leave to report that they have had the same under consideration and recommend that the same do pass.

MARION F. STOOKEY,
Chairman.

Ordered passed on file.

Senator Elerick moved that the Senate do now adjourn.

The motion was lost.

Senator Saunders, from the conference committee on Senate File No. 30, submitted the following report:

CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 30.

MR. PRESIDENT—Your conference committee, to whom was referred Senate File No. 30, 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 fixing 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 unanimously agreed to recommend:

First. That the Senate concur in the House amendment to Section Fourteen (14).

Second. That the House recede from its amendment to Section Six (6) of the bill, striking out the following words after the word "reformatory" in the sixth line: "and the prison at Fort Madison is overcrowded."

Third. That the House recede from its amendment to Section Two (2), striking out the word "that" in line five, and inserting the words "in the discretion of the court" in lieu thereof.

Fourth. That the House recede from its amendment to Section Two (2), adding after the words "Fort Madison" the words "or Anamosa."

Fifth. That the Senate recede from its refusal to concur in the House amendment to Section Fourteen (14).

And also recommending the adoption of the following amendments:

First. Strike from the bill all of Section Two (2), and insert in the bill as Section Two (2) the following:

"SEC. 2. Any male person who shall be committed to the penitentiary after the fourth (4th) day of July, 1907 (except those convicted of murder, treason, sodomy or incest), and who at the time of commitment is between the ages of sixteen (16) and thirty (30) years, and who has never before been convicted of a felony, shall be confined in the reformatory; provided, however, that persons between the ages of sixteen (16) and thirty (30) years convicted of rape, robbery, or of breaking and entering a dwelling house in the night time with intent to commit a public offense therein, may, as the particular circumstances may warrant, in the discretion of the court, be committed to either the reformatory at Anamosa, or the penitentiary at Fort Madison."

Second. Strike from the bill all of Section Six (6) and insert in the bill as Section Six (6) the following:

"SEC. 6. Whenever there is unoccupied room in the reformatory and the prison at Fort Madison is overcrowded, 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 offense.

"The prison at Fort Madison shall be deemed to be overcrowded when the number of inmates exceeds the number of cells."

C. G. SAUNDERS,
JOSEPH MATTES,
C. F. PETERSON,
R. C. STIRTON,

Committee on the part of the Senate.

O. H. HOLMES,
A. F. N. HAMBLETON,
CLIFFORD B. PAUL,
F. F. JONES,

Committee on the part of the House.

Conference Committee.

REPORTS 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. 309, a bill for an act "prohibiting the giving or receiving of any rebate of premium payable or any policy or contract of insurance written within the State of Iowa," beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. P. WHIPPLE,
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 House File No. 341, a bill for an act to repeal Section Seventeen Hundred and Seventy-four (1774) of the Code, relating to valuation of policies of life insurance companies, 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:

Insert before the word "he" in line sixteen, the words "After July 1, 1910," so that the sentence when amended will read, "After July 1, 1910, he shall use the mean method of valuation of policies and may value policies in groups."

And when so amended the bill do pass.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

The Journal of yesterday was taken up, corrected and approved.

Senator DeWolf moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A.M. tommorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, SATURDAY, MARCH 30, A. D. 1907.

Senate met in regular session at 9 o'clock A. M., President Garst presiding.

Prayer was offered by the Rev. E. Benson of Brooklyn.

PETITIONS AND MEMORIALS.

Senator Gilliland presented petitions of attorneys and other citizens of Montgomery county favoring the passage of House File No. 438, relative to length of term of county officials.

Referred to Committee on Elections.

Senator Allen presented petition of citizens of Pocahontas county urging the passage of the measure providing for a four-year term for county officials.

Referred to Committee on Elections.

HOUSE MESSAGES CONSIDERED.

House requests recall of House File No. 108, a bill for an act limiting the indebtedness of state and savings banks and repealing Section One Thousand Eight Hundred and Fifty-five (1855) of the Code.

Passed on file.

House has concurred in Senate amendments to House File No. 380, a bill for an act to legalize the incorporation of the town of Garwin, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such.

Passed on file.

House has concurred in Senate amendment to House File No. 342, a bill for an act to repeal Section One Thousand Four Hundred and Eighty-three (1483) of the Code, relating to roads and highways, and to enact a substitute therefor.

Passed on file.

House has concurred in Senate amendments to House File No. 156, a bill for an act to amend Section Seven Hundred and Seventy-one (771) of the Code Supplement, and Section One (1), Chapter Twenty-nine (29) of the acts of the Thirtieth General Assembly, relating to the construction of viaducts.

Passed on file.

House has concurred in Senate amendments to House File No. 362, a bill for an act repealing Sections Two Thousand One Hundred and Sixty-five (2165) and Two Thousand One Hundred and Sixty-six (2166) of the Code, and enacting a substitute therefor, pertaining to express companies.

Passed on file.

House has concurred in Senate amendment to House File No. 202, a bill for an act to amend Section One Thousand Three Hundred and Four (1304) of the Code, relating to exemptions from taxation.

Passed on file.

House has concurred in Senate amendment to House File No. 389, a bill for an act amendatory of and additional to Chapter Fifteen (15) of the Code and Supplement to the Code, relative to the care and propagation of fish.

Passed on file.

House has concurred in Senate amendment to House File No. 145, a bill for an act to legalize conveyances of real estate by foreign executors, administrators and guardians in certain cases.

Passed on file.

House has concurred in Senate amendments to House File No. 288, a bill for an act making appropriations to the State Historical Society of Iowa.

Passed on file.

House has concurred in Senate amendments to House File No. 294, a bill for an act to legalize the incorporation of the town of Clutier, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such.

Passed on file.

House has concurred in Senate amendments to House File No. 143, a bill for an act to indemnify Charles H. Tribby for damages caused by sewage from the State Hospital for Insane at Mt. Pleasant, Iowa.

Passed on file.

House has concurred in Senate amendments to House File No. 63, a bill for an act to amend Section Two Thousand Fifty-seven (2057) of the Code, relating to fences required by railroad companies.

Passed on file.

REPORTS 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. 352, a bill for an act to amend Section Five Thousand Four Hundred and Forty-eight (5448) of the Code, in relation to the time in which an appeal may be taken in criminal cases, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
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 Senate File No. 353, a bill for an act relative to the procedure in courts of record in this State and providing as to what shall be required in order that a new trial be granted, beg leave to report they have had the same under consideration and have instructed me to re-

port 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.

Senator Dowell, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 285, a bill for an act to amend Section Three Thousand Five Hundred and Thirty-eight (3538) of the Code, regarding actions against unknown defendants to quiet title, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
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 Senate File No. 329, a bill for an act to repeal the law as it appears in Chapter Thirty-nine (39), Section One (1), of the acts of the Thirty-first General Assembly, relating to the term of office of the county officers, extending the term of office of the County Auditor, Clerk, Recorder of Deeds and County Attorney, and making the term of office four years, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to Committee on Elections.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was referred to Committee on Elections.

Senator Dowell, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 324, a bill for an act to legalize the action of the members of the Florence Crittenton Home of Sioux City in amending its articles of incorporation, and to legalize said amended articles,

beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
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. 429, a bill for an act for the relief of the grantees of James Seby Parsons, and for the purpose of having a patent issued in the name of Cornelis De Geest for a certain tract of land, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the 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 House File No. 59, a bill for an act to amend Chapter Sixty-eight (68) of the laws of the Thirtieth General Assembly of Iowa, relative to the establishment of levees, ditches, drains and watercourses, and to amend Sections Eleven (11) and Fourteen (14) thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
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. 14, a bill for an act to prohibit the corrupt influencing of agents, representatives, employes, officers of a private corporation, or public officers, acting in behalf of a principal in any business transaction and provide a penalty therefor, beg leave to report they have had the same under consideration and have instructed me to

report the same back to the Senate with the recommendation that the 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 House File No. 307, a bill for an act to amend Section Three Hundred and Fifty-four (354) of the Code, relating to fees and mileage of jurors, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
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. 447, a bill for an act to change the name of a certain river in northeastern Iowa, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the 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. 356, a bill for an act to legalize the annexation of certain territory to the city of Centerville, Appanoose county, Iowa, and the election of officers by said city as enlarged, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
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 amended and passed substitute recommended by conference committee on House File No. 42, a bill for an act to repeal Section Four Hundred and Twelve (412) of the Code and to enact a substitute therefor, relating to the time of holding meetings 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. 414, a bill for an act to repeal Section Twenty-nine Hundred and Thirty-five (2935) of the Code and to enact a substitute therefor, relating to indexes to be kept by County Recorders.

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. 231, a bill for an act to repeal Section Four Thousand Six Hundred (4600) of the Code, relating to the accounting for fees and compensation of justices of the peace and constables, and to enact in lieu thereof 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 Senate is asked:

House File No. 338, a bill for an act to amend Chapter One Hundred and Twenty (120), laws of the Thirty-first General Assembly, relating to State Sanatorium at Iowa City, further defining the duties of the Board of Control regarding tuberculosis, and making additional appropriations.

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. 462, a bill for an act to release and convey to Mary A. T. Sanders all right, title and interest of the State of Iowa in or to the following described real estate, to-wit: A strip of land situated in west end of lot 3 in Section 3, Township 79 north, Range 6 west of the 5th P. M., in Johnson county, Iowa, and lying between the public highway known as the "Foster road" and the bank of the Iowa river, and extending north 150 feet from the east end of the Terrill dam, situated between lots 3 and 6 in said Section 3, and south 150 feet from said dam.

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. 437, a bill for an act to repeal Section Four Hundred and Sixteen (416) of the Code, relating to the division of a county by townships into supervisor districts, changing the time of such division from the regular meeting in June to the regular meeting in January.

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. 74, a bill for an act limiting the indebtedness of State and savings banks and repealing Section Eighteen Hundred and Fifty-five (1855) 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 House was asked:

Senate File No. 274, a bill for an act to legalize the plat of W. O. Lee's addition to Macksburg, 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. 343, a bill for an act to legalize the ordinances and amendments to ordinances passed by the town council of Noda-

way, Iowa, and to legalize all official acts of the town officials of Nodaway, Iowa, acting as such officials.

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 amend Section Three Thousand Eight Hundred and Fifty-three (3853) of the Code, relating to the recovery of costs by the successful against the losing party.

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. 18, a bill for an act regulating the sale of agricultural seeds, concentrated commercial feeding-stuffs and the materials from which they are manufactured; defining concentrated commercial feeding-stuffs and what shall constitute purity in various kinds of seeds; prohibiting the adulteration and providing for the correct weighing and marking of agricultural seeds and concentrated commercial feeding-stuffs; and providing for the collecting of samples, analyses of the same, and fixing penalties for its violation; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner, and making appropriation therefor.

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. 277, a bill for an act to provide a uniform system of books, blanks, records, vouchers, etc., for the use of County Auditors, County Treasurers and Clerks of the District Court.

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. 278, a bill for an act to authorize the construction of a lock canal between Spirit Lake and East Okoboji Lake, in Dickinson county, 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:

Substitute for Senate File No. 271, a bill for an act to repeal Chapter One Hundred and Forty (140), laws of the Thirty-first General Assembly, relative to bonds of school corporations, and enacting a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

REPORTS 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. 348, a bill for an act to legalize the actions of certain homes for destitute or unfortunate women and orphaned or abandoned children in certain cases, and the amendment of articles of incorporation 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 Dowell, from the Committee on Judiciary, submitted following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 356, a bill for an act to punish burglary with 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 do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

Senator Lambert moved that the rules be suspended for the consideration of Senate File No. 276.

Carried.

Senate File No. 276, a bill for an act to amend the law as it appears in Section One Hundred and Thirty-six (136) of the Supplement to the Code, fixing the manner of distribution of

the report of the Academy of Sciences, was taken up and considered.

Senator Lambert moved that the Senate concur in the following House amendment:

Amend by striking out the words "tenth" and "eleventh" in the third line of Section One (1) and insert in lieu thereof the words "ninth" and "tenth."

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jones, Kimmel, Lambert, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Senators Bruce, DeWolf, Dunham, Gale, Hopkins, Jamieson of Page, Jamison of Clarke, Kimmel, McKlveen, McManus, Moon, Stirton, Stuckslager, Whiting, Young—15.

So the amendment was concurred in.

Senator Whipple moved that the rules be suspended for the consideration of Senate File No. 336.

Carried.

Senate File No. 336, a bill for an act amendatory of and additional to the law as it appears in Section Three (3), Chapter One Hundred and Sixteen (116) of the laws of the Thirty-first General Assembly of Iowa, relative to the practice of dentistry, and extending the time within which to file licenses issued prior to January 1, 1907, under certain conditions, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Senator Whipple moved the adoption of the following committee amendment:

Amend Section One (1) of said bill by striking out the words and figures "of 1897" in the eighth line thereof.

Adopted.

Senator Whipple moved the adoption of the following amendment:

I move to amend the bill by inserting after the words "file the same" in the fourteenth line thereof, the words "for record."

Adopted.

The bill as amended was read for information.

Senator Whipple moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Mattes, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeWolf, Dunham, Gale, Hopkins, Jamison of Clarke, Kinne, Lambert, McKlveen, McManus, Maytag, Saunders, Stuckslager, Warren, Whiting, Young—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Turner moved that the rules be suspended for the consideration of Senate File No. 351.

Carried.

Senate File No. 351, a bill for an act to authorize the sale of the southwest quarter of section 27, township 78 north, range 24 west of the 5th P. M., known as the camp ground of the Iowa National Guard, and to use the proceeds of the sale, or so much

thereof as may be necessary, in the purchase and improvement of another camp ground for the said Guard, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Turner moved the adoption of the following amendment:

I move to amend by inserting after the word "condemnation" in the fifth line of Section One (1) of the bill the words "and improvement."

Adopted.

Senator Turner moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jones, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Young—34.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeWolf, Dunham, Gale, Jamieson of Page, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, McManus, Maytag, Stuckslager, Wade, Whiting, 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 Elerick moved that the rules be suspended for the consideration of House File No. 298.

Carried.

House File No. 298, a bill for an act to amend the law as it appears in Chapter Twenty-two (22) of the acts of the Thirty-first General Assembly, in relation to construction and maintenance of

hospitals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Elerick moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Eckles, Elerick, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Stirton, Stookey, Stuck-slager, Taylor, Turner, Warren, Wilson of Fayette, Young—32.

The nays were:

None.

Absent or not voting:

Senators Allen, DeWolf, Dunham, Ericson, Foley, Gale, Jamieson of Page, Jamison of Clarke, Kinne, Lambert, McKlveen, McManus, Saunders, Smith of Mitchell, Wade, Whipple, Whiting, Wilson of Clinton—18.

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 rules be suspended for the consideration of House File No. 408.

Carried.

House File No. 408, a bill for an act to amend Section Three Hundred and Ten (310) of the Supplement to the Code, relating to qualification for admission to the bar, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dowell moved the adoption of the following amendment:

Amend by adding as Section Two (2) the following:

SEC. 2. This act shall take effect and be in force on and after July 1st, 1909.

Adopted.

Senator Dowell moved that the rule be suspended and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Whipple, Wilson of Fayette, Young—37.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Dunham, Gale, Hopkins, Jamison of Clarke, Kinne, McKlveen, McManus, Taylor, Wade, Warren, Whiting, 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 Bruce moved that the rules be suspended for the consideration of Senate File No. 201.

Carried.

Senate File No. 201, a bill for an act to repeal the law as it appears in Section One Thousand Three Hundred and Forty-seven-a (1347-a) of the Supplement to the Code, and Chapter Forty-eight (48), acts of the Thirtieth General Assembly, relating to the vocation of peddlers, defining the term peddlers so as to include transient merchants and itinerant vendors selling by sample or by taking orders for immediate or future delivery, and to enact a substitute therefor, was taken up and considered.

The motion to reconsider the vote by which the Senate con-

curred in the House amendments, filed by Senator Bruce March 23, prevailed.

Senator Bruce moved that the Senate do not concur in the following House amendment:

Amend by striking the period at the end of line sixteen of the printed bill and inserting in lieu thereof a comma and adding the following: "not to local country merchants bona fide residents and taxpayers of the region in which they are doing business."

Carried.

Senator Bruce moved that the Senate concur in the following House amendments:

Amend by striking from the title thereof the following words: "the law as it appears in Section Thirteen Hundred and Forty-seven-A (1347-A) of the Supplement to the Code and." Also the same words as they appear in Section One (1) of said bill, and the dollar marks and figures and parentheses wherever they appear in said bill.

Amend by adding following the word "production" in the last line of Section One (1) of said bill the following words: "either by themselves or employes," and to strike the word "Daily" from Section Two (2) of said bill.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Hughes, Jamieson of Page, Mattes, Newberry, Nichols, Peterson, Seeley, Smith of Mitchell, Stookey, Stuckslager, Taylor, Turner, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—30.

The nays were:

Senators Gilliland, Lambert, Whipple—3.

Absent or not voting:

Senators Crossley, DeWolf, Dunham, Hopkins, Jackson, Jamieson of Clarke, Jones, Kimmel, Kinne, McKlveen, McManus, Maytag, Moon, Saunders, Smith of Des Moines, Stirton, Wade—17.

So the amendments were concurred in.

Senator Smith of Mitchell moved that the rules be suspended for the consideration of Senate File No. 349.

Carried.

Senate File No. 349, a bill for an act to repeal Section Thirteen Hundred and Forty-six-d (1346-d) of the Supplement to the Code, relating to the assessments of express companies for taxation, and to enact a substitute therefor, was taken up and considered.

The bill was read for information.

Senator Smith of Mitchell moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Clark, Crossley, DeArmand, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

None.

Absent or not voting:

Senators Burgess, DeWolf, Dunham, Jamison of Clarke, Kimmel, Kinne, McKlveen, McManus, Turner, Wade—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

The hour having arrived for the special order, House File No. 379, a bill for an act to prohibit common carriers of passengers from issuing, furnishing, or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act; also for annual reports, and for the repeal of Chapter Ninety (90), laws of the Thirty-first General Assembly, with report of committee recommending passage as

amended, was taken up, considered, and the report of the committee adopted.

Senator Hopkins moved the adoption of the following committee amendment:

That Section Two (2) of said bill be amended by striking out all the words between Subdivision (a) and Subdivision (b) and inserting in lieu thereof the following: "The officers, agents, employes, attorneys, physicians and surgeons of such common carriers of passengers, whose time is solely devoted to the service of common carrier of passengers, and the families of such officers, agents, employes, attorneys, physicians and surgeons; local attorneys not exceeding one attorney or firm of attorneys in each county of the State, except in counties where sessions of the Superior and District Court are held in two or more cities or towns and in counties where division stations are located at points other than the county seat, two attorneys or firms of attorneys, local physicians or surgeons not exceeding two in each county of the State and not to exceed one eye specialist for each railroad division, whose time may not be solely devoted to the service of common carrier of passengers; provided, no person shall be held to be a physician, surgeon, attorney, agent or employe for such common carrier unless he is in good faith employed to render necessary service within the legitimate scope of his profession or employment; and in any prosecution under this act, if it be claimed that a free ticket, free pass, or free transportation was wrongfully issued or given to physician, surgeon, attorney, agent or employe it shall be incumbent upon the defendant to prove the character of the professional services rendered or to be rendered."

And that Section Two (2) be further amended by striking out the period at the end of the section following the word "companies" and inserting a semicolon in lieu thereof and by adding after said semicolon the following: "(o) school children to and from public or parochial schools; provided, that the provisions of this act shall not be construed to prohibit the interchange of passes for the persons to whom free tickets, free passes or free transportation may be furnished or given under the provisions of this section."

Senator Peterson moved the adoption of the following amendment to the committee amendment recommended by the Committee on Railroads:

I move to amend the committee amendment to Section Two (2) of the bill by striking out the words 'time is solely devoted to the service of,' following the word "whose" in the fifth line, and inserting in lieu thereof the words "chief and principal occupation is to render service to;" and by striking out the comma following the word "attorneys" and before the word "local" in the twelfth line, and inserting in lieu thereof a semicolon.

Adopted.

Senator Elerick moved the adoption of the following amendment to the committee amendment:

Amend Section Two (2) by striking out the word "one" in the seventh line and insert the word "two;" also add the letter "s" to the word "firm" in same line.

By consent, the amendment was withdrawn.

Senator Mattes moved the adoption of the following amendment to the amendment recommended by the committee:

Amend Section Two (2) by striking out the word "one" in line seven of the amendment, and inserting the word "two" and add the letter "s" to the word "attorney" in line seven.

Also amend by striking out all after the comma following the word "State" in line eight to the word "local" in line eleven.

Senator Dowell was called to the chair at 10:35 o'clock.

On the adoption of the amendment to the amendment, a roll call was demanded.

On the question, "Shall the amendment to the amendment be adopted?"

The yeas were:

Senators Bleakly, Bruce, Clark, Crossley, Dowell, Dunham, Elerick, Foley, Gale, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Lambert, McManus, Mattes, Moon, Nichols, Saunders, Seeley, Smith of Des Moines, Stookey, Taylor, Wade, Warren, Wilson of Clinton—26.

The nays were:

Senators Allen, Bruce, DeArmand, Eckles, Ericson, Frudden, Gilliland, Hopkins, Hughes, Kimmel, Newberry, Peterson, Smith of Mitchell, Stirton, Stueckslager, Turner, Whipple, Whiting, Wilson of Fayette, Young—20.

Absent or not voting:

Senators DeWolf, Kinne, McKlveen, Maytag—4.

So the amendment to the amendment was adopted.

Senator Lambert moved the adoption of the following amendment to the amendment recommended by the committee:

Insert after the word "surgeons" in the seventh line of Section Two (2), as it appears in the Senate Journal, the following:

"The State Fish and Game Warden and his car, and the necessary assistants therewith, when engaged in the performance of official duties."

On the adoption of the amendment, a roll call was demanded.

On the question, "Shall the amendment to the amendment be adopted?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, DeArmand, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Jackson, Jamieson of Page, Jones, Kimmel, Lambert, McManus, Mattes, Moon, Saunders, Smith of Des Moines, Stookey, Stuckslager, Turner, Whiting—26.

The nays were:

Senators Allen, Crossley, Gilliland, Hughes, Maytag, Nichols, Peterson, Seeley, Smith of Mitchell, Stirton, Warren, Wilson of Fayette, Wilson of Clinton, Young—14.

Absent or not voting:

Senators DeWolf, Dowell, Hopkins, Jamison of Clarke, Kinne, McKlveen, Newberry, Taylor, Wade, Whipple—10.

So the amendment to the amendment was adopted.

The amendments recommended by the Committee on Railroads, as amended, were adopted.

Senator DeArmand moved the adoption of the following amendment:

Amend Section Two (2) by adding thereto the following: "Nothing in this act shall be construed to invalidate an existing contract between a street railway company and a city when a condition of a franchise grant requires the furnishing of transportation to police, firemen and city officers while in the performance of official duties."

Adopted.

Senator Clark moved the adoption of the following amendment:

Amend Section Four (4) by striking out the words "and the officer, agent, employe or representative guilty of such violation shall, in ad-

dition to the fine," in lines three and four, and inserting in lieu thereof the words "or in the discretion of the court shall."

Adopted.

Senator Saunders moved the adoption of the following amendment:

Strike out the words "in uniform" in subdivision (e) of Section Two (2) and insert in lieu thereof the following: "wearing the insignia of their departments."

Adopted.

Senator Saunders moved the adoption of the following amendment:

Move to amend by striking out Section Five (5) and insert in lieu thereof the following:

SEC. 5. It shall be the duty of every common carrier of passengers, within the provisions of this act, to file with the Executive Council, whenever it shall order, a sworn statement, showing the names of all persons to whom during such period of time as the council may require, but not to exceed one year preceding, such common carrier gave or issued a free pass, free transportation or discriminatory reduced rate from any place in Iowa to any other place in Iowa in disclosing such information as will enable the Executive Council to determine whether the persons to whom it was issued were within the exceptions of this act.

Senator Gilliland moved the adoption of the following amendment to the amendment:

I move to amend the amendment by striking out the words "from any place in Iowa to any other place in Iowa" in the eighth line.

On the adoption of the amendment to the amendment, a roll call was demanded.

On the question, "Shall the amendment to the amendment be adopted?"

The yeas were:

Senators Allen, Bleakly, Dunham, Ericson, Foley, Gilliland, Hughes, Newberry, Peterson, Smith of Mitchell, Turner, Wilson of Fayette, Wilson of Clinton, Young—14.

The nays were:

Senators Bruce, DeArmand, Frudden, Gale, Jones, Lambert,

Mattes, Nichols, Saunders, Smith of Des Moines, Stookey, Wade, Warren, Whiting—14.

Absent or not voting :

Senators Burgess, Clark, Crossley, DeWolf, Dowell, Eckles, Elerick, Hopkins, Jackson, Jamieson of Page, Jamison of Clark, Kimmel, Kinne, McKlveen, McManus, Maytag, Moon, Seeley, Stirton, Stuckslager, Taylor, Whipple—22.

So the amendment to the amendment was lost.

The amendment offered by Senator Saunders was adopted.

Further consideration of the bill was 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 receded from its amendments as recommended by conference committee and adopted conference committee report and amendments to Senate File No. 280, 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, providing penalties for the violations thereof and repealing Chapter 40, laws of the Thirtieth General Assembly, and Chapter 45 and 46, laws of the Thirty-first General Assembly, relating to primary elections.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE.

Senator Whipple, from the Committee on Insurance, submitted the following report :

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 272, a bill for an act to require an annual apportionment and accounting of surplus of life insurance policies, beg leave to report that they have 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 :

Section One. Strike from lines two and three the words "in which policy-holders are entitled to share in the profits or surplus."

Strike from line six the words and figures "January 1st, 1908," and insert in lieu thereof the words and figures "December 31st, 1907."

Section Two. Strike from lines two and three the words "contributed

by its stockholders" and insert in lieu thereof the words "held for stockholders, and an amount equal to any apportioned surplus held as a liability on deferred dividend policies issued prior to January 1, 1908."

Section Three. Strike out the entire section and insert in lieu thereof the following:

"SEC. 3. The holder of each and every participating policy issued after December 31, 1907, shall, on or before the end of the third policy year, and annually thereafter, have submitted to him the following options for the application of the apportioned surplus as hereinbefore provided, and upon or in payment of any premium then due shall be permitted to determine under which of such options the surplus shall be applied:

"1. Paid in cash, or

"2. Applied toward the payment of any premium or premiums, or

"3. Applied to the purchase of paid up additions to the policy, or

"4. Remain with the company, subject to the right of the insured to withdraw the same with all accumulations thereon at any anniversary of the policy.

"Companies may require policy-holders desiring to select option number three to furnish evidence of good health, but shall not require such evidence where the selection has once been made and continuously adhered to.

"If within thirty days after the end of any policy year the insured fails to designate the manner of the application of the surplus as herein above provided, there being no premium then due, the surplus shall be paid to him in cash."

Section Four. Strike out the entire section and insert in lieu thereof the following:

"SEC. 4. In event of default of payment of any premium due on any policy other than a term policy of twenty years or less, provided that not less than three full years' premiums shall have been paid, there shall be secured to the insured without action on his part, either paid up or extended insurance as specified in the policy, the net value of which, except as to return premium policies, shall be at least equal to the entire net reserve held by the company on such policy, less two and one-half per cent ($2\frac{1}{2}$ per cent) of the amount insured by the policy, or twenty per cent (20 per cent) of the reserve, whichever is greater, and less any outstanding indebtedness to the company on the policy at the time of default.

"The insured shall have the right to surrender his policy to the company at its home office at any time within one month after date of default and shall receive therefor the cash value otherwise available for the purchase of paid up or extended insurance as aforesaid. Payment of such cash value may be deferred by the company for a period not exceeding six months after the application therefor is made."

And when so amended the bill do pass.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

Senator Turner moved that when the Senate adjourn it be until 1:30 o'clock P.M.

Carried.

The President resumed the chair at 11:30 o'clock.

The President announced that he had signed, in the presence of the Senate, Senate Files No. 19, 244, 194, 341, 234 and 215.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 234, a bill for an act to authorize the reconsignment without charge to a new destination of property forwarded by a common carrier, and to provide for the treatment of the same as an original shipment.

Also:

Senate File No. 341, a bill for an act to amend the law as it appears in Section Eight Hundred and Fifty-two (852) of the Supplement to the Code, as amended by Chapter Thirty-four (34) of the laws of the Thirtieth General Assembly, authorizing the levy of an additional tax of one mill on the dollar on all taxable property for park purposes, relating to Park Commissioners, their powers and duties.

Also:

Senate File No. 194, a bill for an act authorizing cities of the first class to levy taxes for the purpose of paying for building and reconstruction of bridges, and for the issuance of bonds or certificates against such levies.

W. B. SEELEY,
Chairman.

Ordered passed on file.

Senator Seeley, 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. 19, a bill for an act requiring manufacturers and dealers to label white lead, paints, mixed paints, and similar compounds, and linseed oil; defining linseed oil and boiled linseed oil; and fixing penalties for its violation; and repealing Sections Twenty-five Hundred and Ten-a (2510-a), Twenty-five Hundred and Ten-b (2510-b), Twenty-five Hundred and Ten-c (2510-c), Twenty-five Hundred and Ten-d (2510-d) and Twenty-five Hun-

dred and Ten-e (2510-e) of the Supplement to the Code; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.

Also:

Senate File No. 215, a bill for an act to amend the law as it appears in Sections Six Hundred and Seventy-nine-a (679-a), Six Hundred and Seventy-nine-f (679-f), Six Hundred and Seventy-nine-g (679-g), Six Hundred and Seventy-nine-h (679-h) of the Supplement to the Code, relating to the Board of Police and Fire Commissioners in certain cities of the first class, and cities under special charter, and providing for the taking effect thereof.

Also:

Senate File No. 244, a bill for an act authorizing persons, firms or corporations engaged in the business of storing goods for profit to issue warehouse receipts on the goods so stored; to regulate the issuance, negotiation and transfer of such receipts, and to provide punishment for violation of said regulations, and repealing Section Thirty-one Hundred and Twenty-nine (3129) of the Code.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 234, a bill for an act to authorize the reconsignment without charge to a new destination of property forwarded by a common carrier, and to provide for the treatment of the same as an original shipment.

Also:

Senate File No. 341, a bill for an act to amend the law as it appears in Section Eight Hundred and Fifty-two (852) of the Supplement to the Code, as amended by Chapter Thirty-four (34) of the laws of the Thirtieth General Assembly, authorizing the levy of an additional tax of one mill on the dollar on all taxable property for park purposes, relating to Park Commissioners, their powers and duties.

Also:

Senate File No. 194, a bill for an act authorizing cities of the first class to levy taxes for the purpose of paying for building and reconstruction of bridges, and for the issuance of bonds or certificates against such levies.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

Senator Seeley, 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. 19, a bill for an act requiring manufacturers and dealers to label white lead, paints, mixed paints, and similar compounds, and linseed oil; defining linseed oil and boiled linseed oil; and fixing penalties for its violation; and repealing Sections Twenty-five Hundred and Ten-a (2510-a), Twenty-five Hundred and Ten-b (2510-b), Twenty-five Hundred and Ten-c (2510-c), Twenty-five Hundred and Ten-d (2510-d) and Twenty-five Hundred and Ten-e (2510-e) of the Supplement to the Code; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.

Also:

Senate File No. 215, a bill for an act to amend the law as it appears in Sections Six Hundred and Seventy-nine-a (679-a), Six Hundred and Seventy-nine-f (679-f), Six Hundred and Seventy-nine-g (679-g), Six Hundred and Seventy-nine-h (679-h) of the Supplement to the Code, relating to the Board of Police and Fire Commissioners in certain cities of the first class, and cities under special charter, and providing for the taking effect thereof.

Also:

Senate File No. 244, a bill for an act authorizing persons, firms or corporations engaged in the business of storing goods for profit to issue warehouse receipts on the goods so stored; to regulate the issuance, negotiation and transfer of such receipts, and to provide punishment for violation of said regulations, and repealing Section Thirty-one Hundred and Twenty-nine (3129) of the Code.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 19, a bill for an act requiring manufacturers and dealers to label white lead, paints, mixed paints, and similar compounds, and linseed oil; defining linseed oil and boiled linseed oil; and fixing penalties for its violation; and repealing Sections Twenty-five Hundred and Ten-a (2510-a), Twenty-five Hundred and Ten-b (2510-b), Twenty-five Hundred and Ten-c

(2510-c), Twenty-five Hundred and Ten-d (2510-d) and **Twenty-five Hundred and Ten-e** (2510-e) of the Supplement to the Code; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.

Also:

Senate File No. 215, a bill for an act to amend the law as it appears in Sections Six Hundred and Seventy-nine-a (679-a), Six Hundred and Seventy-nine-f (679-f), Six Hundred and Seventy-nine-g (679-g), Six Hundred and Seventy-nine-h (679-h) of the Supplement to the Code, relating to the Board of Police and Fire Commissioners in certain cities of the first class, and cities under special charter, and providing for the taking effect thereof.

Also:

Senate File No. 244, a bill for an act authorizing persons, firms or corporations engaged in the business of storing goods for profit to issue warehouse receipts on the goods so stored; to regulate the issuance, negotiation and transfer of such receipts, and to provide punishment for violation of said regulations, and repealing Section Thirty-one Hundred and Twenty-nine (3129) of the Code.

W. B. SEELEY,
Chairman.

Adopted.

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. 234, a bill for an act to authorize the reconsignment without charge to a new destination of property forwarded by a common carrier and to provide for the treatment of the same as an original shipment.

Also:

Senate File No. 341, a bill for an act to amend the law as it appears in Section Eight Hundred and Fifty-two (852) of the Supplement to the Code, as amended by Chapter Thirty-four (34) of the laws of the Thirtieth General Assembly, authorizing the levy of an additional tax of one mill on the dollar on all taxable property for park purposes, relating to Park Commissioners, their powers and duties.

Also:

Senate File No. 194, a bill for an act authorizing cities of the first class to levy taxes for the purpose of paying for building and reconstruction of bridges, and for the issuance of bonds or certificates against such levies.

W. B. SEELEY,
Chairman.

Adopted.

The Journal of yesterday was taken up, corrected and approved.

Senator Gilliland filed the following motion to reconsider :

I move to reconsider the vote by which the amendment to the Saunders substitute for Section Five (5) was defeated.

SHIRLEY GILLILLAND.

Senator Smith of Mitchell moved that the Senate go into executive session.

Carried.

Senate went into executive session.

The committee to whom was referred the appointment of John T. Hamilton of Cedar Rapids, Linn 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 appointment of T. E. McCurdy of Hazelton, Buchanan county, Iowa, as Custodian of the Public Buildings and Property for the term of two years, beginning April 1st, 1907, was confirmed.

The Senate arose from executive session.

Senate resumed regular session.

Senator Eckles moved that the Senate do now adjourn.

Carried.

Senate adjourned until 1:30 o'clock P.M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P.M., President Garst presiding.

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. 444, a bill for an act to legalize the acts done and the ordinances passed by the town council of Dexter, Dallas county, Iowa.

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 the following bill, in which the concurrence of the House was asked:

House File No. 408, a bill for an act to amend Section Three Hundred and Ten (310) of the Supplement to the Code, relating to qualification for admission to the bar.

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. 479, a bill for an act to authorize and require street railways and interurban railways operating street railways to permit interurban railroads to use their tracks and terminal facilities, and to furnish power to interurban railroads in cities, and providing for fixing the compensation therefor, and authorizing street railways to furnish power to interurban railroads.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted and passed Senate substitute to the following bill, in which the concurrence of the House was asked:

House File No. 65, a bill for an act to safeguard the traveling public and employes upon railroads by limiting the hours of service of employes thereon, additional to Chapter Five (5), Title Ten (10) of 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 joint resolution, in which the concurrence of the House was asked:

Joint resolution No. 5, relative to the appointment of a joint committee to purchase chair and gavel for the Speaker of the House and President of the Senate.

C. R. BENEDICT,
Chief Clerk.

On request of Senator Kimmel, leave of absence was granted Senator Kinne until Monday.

THIRD READING OF BILLS.

Senate resumed consideration of House File No. 379.

Senator Gilliland called up the motion to reconsider the vote by which the amendment offered by the Senator from Pottawattamie passed the Senate, said amendment being known as Section Five (5) of the bill.

Senator Hopkins raised the point of order that the motion was out of order, for the reason that the bill had already passed to its third reading.

The President ruled that the point of order was well taken.

Senator Gilliland moved to reconsider the vote by which the bill passed to its third reading.

On the motion to reconsider, a roll call was demanded.

Senator Jackson asked that the bill be read for information.

Senator Dowell raised the point of order that the reading of the bill is out of order at this time.

The President ruled the point of order well taken.

On the question, "Shall the motion to reconsider prevail?"

The yeas were:

Senators Allen, Bleakly, Gilliland, Hopkins, Hughes, Kimmel, Lambert, Moon, Newberry, Peterson, Seeley, Smith of Mitchell, Stirton, Turner, Wilson of Fayette, Wilson of Clinton, Young—17.

The nays were:

Senators Clark, Crossley, DeArmand, Elerick, Jackson, Jamieson of Clarke, Mattes, Nichols, Saunders, Smith of Des Moines, Stookey, Taylor, Whipple—13.

Absent or not voting:

Senators Bruce, Burgess, DeWolf, Dowell, Dunham, Eckles, Erierson, Foley, Frudden, Gale, Jamieson of Page, Jnes, Kinne, McKlveen, McManus, Maytag, Stuckslager, Wade, Warren, Whiting—20.

So the motion to reconsider prevailed.

On the motion to reconsider the vote by which the amendment of Senator Saunders was adopted, filed by Senator Gilliland, a roll call was demanded.

On the question, "Shall the motion to reconsider prevail?"

The yeas were:

Senators Allen, Bleakly, Eckles, Gilliland, Hopkins, Hughes, Kimmel, Lambert, Moon, Newberry, Peterson, Seeley, Smith of Mitchell, Stirton, Turner, Wilson of Fayette, Wilson of Clinton, Young—18.

The nays were:

Senators Clark, Crossley, DeArmand, Elerick, Frudden, Jackson, Jamieson of Page, Jamison of Clarke, Jones, McManus, Mattes, Maytag, Nichols, Saunders, Smith of Des Moines, Stookey, Taylor, Whipple—18.

Absent or not voting:

Senators Bruce, Burgess, DeWolf, Dowell, Dunham, Ericson, Foley, Gale, Kinne, McKlveen, Stuckslager, Wade, Warren, Whiting—14.

The President declared the motion carried.

Senator Gilliland moved to reconsider the vote by which the amendment offered by him to the amendment offered by Senator Saunders was lost.

Senator Dowell raised the point of order that Senator Gilliland did not vote on the prevailing side and therefore was not in a position to move to reconsider.

The President ruled the point of order well taken.

Senator Lambert moved to reconsider the vote by which the amendment of Senator Gilliland to the amendment of Senator Saunders was lost.

Carried.

Senator Gilliland moved the adoption of the following amendment to the amendment offered by Senator Saunders:

I move to amend the amendment by striking out the words "from any place in Iowa to any other place in Iowa," in the eighth line.

On the adoption of the amendment to the amendment, a roll call was demanded.

On the question, "Shall the amendment to the amendment be adopted?"

The yeas were:

Senators Allen, Burgess, Eckles, Ericson, Foley, Gilliland, Hopkins, Hughes, Jackson, Kimmel, Lambert, Newberry, Peterson, Seeley, Smith of Mitchell, Stirton, Turner, Whiting, Wilson of Fayette, Wilson of Clinton, Young—21.

The nays were:

Senators Bruce, DeArmand, Elerick, Frudden, Jamieson of Page, Jamison of Clarke, Jones, McManus, Mattes, Maytag, Moon, Nichols, Saunders, Smith of Des Moines, Stookey, Taylor, Wade, Warren, Whipple—19.

Absent or not voting:

Senators Bleakly, Clark, Crossley, DeWolf, Dowell, Dunham, Gale, Kinne, McKlveen, Stuckslager—10.

So the amendment to the amendment was adopted.

On the adoption of the amendment of Senator Saunders, as amended by the amendment of Senator Gilliland, a roll call was demanded.

On the question, "Shall the amendment as amended be adopted?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Elerick, Frudden, Gale, Jackson, Jamieson of Page, Jamison of Clarke, Jones, McManus, Mattes, Maytag, Moon, Nichols, Saunders, Smith of Des Moines, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple—28.

The nays were:

Senators Allen, Eckles, Ericson, Foley, Gilliland, Hopkins, Hughes, Kimmel, Lambert, Newberry, Peterson, Seeley, Smith of

Mitchell, Stirton, Turner, Whiting, Wilson of Fayette, Wilson of Clinton, Young—19.

Absent or not voting:

Senators DeWolf, Kinne, McKlveen—3.

So the amendment as amended was adopted.

Senator Hopkins moved that the rule be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators Dermand, DeWolf, Jamison of Clarke, Kinne, McKlveen—5.

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 Seeley, 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, Joint Resolution No. 2, 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. 63, a bill for an act to repeal Section Two Thousand and Fifty-seven (2057) of the Code, relating to fences required to be constructed by railroad companies, and enacting a substitute therefor.

Also:

House File No. 143, a bill for an act to indemnify Charles H. Tribby for damages caused by sewage from the State Hospital for Insane at Mount Pleasant, Iowa.

Also:

House File No. 145, a bill for an act to legalize conveyances of real estate by executors, administrators and guardians in this or foreign states.

Also:

House File No. 156, a bill for an act to amend Section Seven Hundred and Seventy-one (771) of the law as it appears in the Supplement to the Code, and Section One (1), Chapter Twenty-nine (29) of the acts of the Thirtieth General Assembly, relating to the construction of viaducts.

Also:

House File No. 202, a bill for an act to amend Section Thirteen Hundred and Four (1304) of the Code, relating to exemptions from taxation.

Also:

House File No. 207, a bill for an act to repeal Sections Four Hundred and Fifty-eight (458) and Four Hundred and Fifty-nine (459) of the Code, and to enact a substitute therefor, relating to taxation of dogs and injuries to domestic animals.

Also:

House File No. 278, a bill for an act authorizing towns and cities, including cities under special charter, to appropriate money to pay dues in the League of Iowa Municipalities, and to pay the actual expense of delegates to the meetings of such league, additional to Chapter Three (3), Title Five (5) of the Code.

Also:

House File No. 288, a bill for an act making appropriations to the State Historical Society of Iowa.

Also:

House File No. 294, a bill for an act to legalize the incorporation of the town of Clutier, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions, and all acts done by the officials of said town while acting as such.

Also:

House File No. 342, a bill for an act to repeal Section Fourteen Hun-

dred and Eighty-three (1483) of the Code, relating to roads and highways, and to enact a substitute therefor.

Also:

House File No. 362, a bill for an act repealing Sections Twenty-one Hundred and Sixty-five (2165) and Twenty-one Hundred and Sixty-six (2166) of the Code, and enacting a substitute therefor, pertaining to express companies.

Also:

House File No. 376, a bill for an act giving certain powers to the Board of Supervisors, in relation to the alteration or straightening of highways, and to prevent the encroachment of streams thereon, and to condemn land necessary for said purposes.

Also:

House File No. 380, a bill for an act to legalize the incorporation of the town of Garwin, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions, and all acts done by the officials of said town while acting as such.

Also:

House File No. 389, a bill for an act amendatory of and additional to Chapter Fifteen (15) of the Code and Supplement to the Code, relative to the care and propagation of fish.

Also:

House File No. 424, a bill for an act to prevent the throwing or depositing of drugs or medicines as sample or otherwise in private or public places.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

Chairman House Committee.

Ordered passed on file.

THIRD READING OF BILLS.

Senator Stirton moved that the rules be suspended for the consideration of House File No. 352.

Carried.

House File No. 352, a bill for an act to grant officers and guards at the penitentiaries at Anamosa and Fort Madison an annual vacation of fifteen days with pay, was taken up and considered.

The motion to reconsider the vote by which House File No. 352 was lost, filed by Senator Foley, prevailed.

Senator Gilliland moved to reconsider the vote by which the bill passed to its third reading.

The motion was lost.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Dowell, Eckles, Ericson, Foley, Gale, Hopkins, Hughes, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—34.

The nays were:

Senators Elerick, Gilliland, Nichols, Whipple—4.

Absent or not voting:

Senators Bruce, Crossley, DeArmand, DeWolf, Dunham, Frud den, Jackson, Kinne, Lambert, McKlveen, Seeley, Smith of Des Moines—12.

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 rules be suspended for the consideration of Senate File No. 18

Carried.

HOUSE MESSAGES CONSIDERED.

Substitute for Senate File No. 18, a bill for an act regulating the sale of agricultural seeds, concentrated commercial feeding-stuffs and the materials from which they are manufactured; defining concentrated commercial feeding-stuffs and what shall constitute purity in various kinds of seeds, prohibiting the adulteration and providing for the correct weighing and marking of agricultural seeds and concentrated commercial feeding-stuffs; and providing for the collecting of samples, analyses of the same, and fixing penalties for its violation; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner and making an appropriation therefor.

Senator Newberry moved that the Senate concur in the following House amendments:

Amend the title to the substitute for Senate File No. 18 by striking out the words "regulating" in the first line thereof and inserting in lieu thereof the words "to prevent fraud in"; also by changing the semicolon after the word "manufactured" in the third line thereof to a comma and inserting after said comma the following words: "and to regulate the sale thereof."

Also amend Section Five (5) of the substitute bill by changing the period after the words and figures "One Hundred Dollars (\$100.00)" to a comma and inserting the words "in lieu of such inspection fee."

Also amend by inserting after the word "State" last appearing in the sixth line of Section Five (5) the words "except that."

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Lambert, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Dowell, Jones, Kinne, McKlveen, McManus, Maytag, Taylor, Warren, Whiting—10.

So the Senate concurred in the House amendments.

THIRD READING OF BILLS.

Senator Lambert moved that the rules be suspended for the consideration of Senate File No. 96.

Carried.

On request of Senator DeArmand, leave of absence was granted Senator Bruce until noon.

Senate File No. 96, a bill for an act to abolish the offices of

State Printer and State Binder, to provide for the state printing and binding by the competitive contract system, to repeal Sections 117 and 118 and to enact substitutes therefor, and to amend Sections 119, 127, 129, 130, 133, 138, 139 and 141 of the Code and the law as it appears in Sections One Hundred and Sixty-five (165) and One Hundred and Sixty-eight (168) of the Supplement to the Code, relative to State Printer and State Binder and State printing and State binding, was taken up and considered.

Senator Lambert moved that the Senate do not adopt the report of the Committee on Printing.

Senator Whiting moved the previous question.

Carried.

On the motion of Senator Lambert, a roll call was demanded.

On the question, "Shall the report of the committee be not adopted?"

The yeas were:

Senators DeArmand, Dunham, Foley, Gale, Gilliland, Jamieson of Page, Jamison of Clarke, Jones, Lambert, Nichols, Smith of Des Moines, Stirton, Taylor, Wade, Whiting—15.

The nays were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, Dowell, Eckles, Ericson, Hopkins, Hughes, Jackson, Kimmel, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Mitchell, Stookey, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—28.

Absent or not voting:

Senators Bruce, DeWolf, Elerick, Frudden, Kinne, McKlveen, Stuckslager—7.

So the motion was lost.

Senator Allen moved that the report of the Committee on Printing, recommending indefinite postponement of Senate File No. 96 be adopted.

Carried.

So the bill was indefinitely postponed.

House File No. 30, 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 fixing 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, was taken up and considered.

Senator Saunders moved to adopt the report of the conference committee on Senate File No. 30, and also to adopt and include in the bill the amendments to the bill as recommended by said committee.

On the question, "Shall the report of the conference committee, including the amendments to the bill as recommended by the conference committee, be adopted?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Ericson, Foley, Gale, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

None.

Absent or not voting:

Senators Bruce, DeWolf, Elerick, Frudden, Gilliland, Jones, Kinne, McKlveen, McManus, Stuckslager—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

So the report of the conference committee, including amendments, having received a constitutional majority was declared to be adopted.

The President announced that he had signed, in the presence of the Senate, Joint Resolution No. 2, House Files No. 2, 63, 143, 145, 156, 202, 207, 278, 288, 294, 342, 362, 376, 380, 389 and 424.

INTRODUCTION OF BILLS.

By Senator Seeley, Senate File No. 363, a bill for an act to grant officers and other employes at the Hospitals for the Insane at Mount Pleasant, Independence, Clarinda and Cherokee an annual vacation of fifteen days with pay.

Read first and second time and referred to Committee on Charitable Institutions.

REPORTS OF COMMITTEES.

Senator Smith of Mitchell, 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. 441, a bill for an act to amend Subdivision Seven (7) of Section Thirteen Hundred and Four (1304) of the Supplement to the Code, relating to the exemption of property from taxation, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES A. SMITH,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Hopkins, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 355, a bill for an act "authorizing the State Board of Control of the State of Iowa to grant the right of way for an interurban or other railway over and across the lands of the Iowa State Hospital for the Insane at Mt. Pleasant, Henry county, State of Iowa, and to fix terms and conditions therefor," beg leave to report they have had the same under consideration and recommend the same be amended as follows:

That the bill be amended by adding the following as Section Three (3):

"SEC. 3. No contract for such right of way shall be made by the Board of Control unless it shall provide that such railway shall construct

and maintain at Mt. Pleasant, Iowa, a connecting switch with all lines of railway running through said city."

And when so amended the bill do pass.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

Senator Hopkins, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 421, a bill for an act to repeal Section Two Thousand and Twenty-six (2026) of the Supplement to the Code, and Chapter Eighty-seven (87) of the acts of the Thirty-first General Assembly, and to enact a substitute therefor, relating to street railways over highways, beg leave to report that they have had the same under consideration and recommend the same do pass.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

Senator Hopkins, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 375, a bill for an act "To regulate the charges of sleeping cars on all railroads in this State, and to provide penalties for the violation thereof," beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

Senator Hopkins, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 180, a bill for an act "To regulate demurrage and storage charges and to prevent delays in furnishing cars and in the transportation and delivery by railroads of freight other than live stock, and providing penalties for violation thereof," beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

Senator Hopkins, from the Committee on Railroads, submitted the following report:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 294, a bill for an act “To regulate the charges for use of seats and berths in sleeping cars on all railroads in this State and to provide penalties for the violation thereof,” beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

Senator Stookey called up the concurrent resolution offered by him on March 5, relative to final adjournment, and moved to amend by fixing the date on April 5 instead of March 29.

The amendment was adopted.

Further consideration of the concurrent resolution was deferred.

HOUSE MESSAGES CONSIDERED.

House passed substitute recommended by Conference Committee on House File No. 42, a bill for an act to repeal Section Four Hundred and Twelve (412) of the Code and to enact a substitute therefor, relating to the time of holding meetings of the Board of Supervisors.

Passed on file.

House File No. 414, a bill for an act to repeal Section Two Thousand Nine Hundred and Thirty-five (2935) of the Code, and to enact a substitute therefor, relating to indexes to be kept by County Recorders.

Read first and second time and referred to Committee on Judiciary.

House File No. 231, a bill for an act to repeal Section Four Thousand Six Hundred (4600) of the Code, relative to the accounting for fees and compensation of justices of the peace and constables, and to enact in lieu thereof the following.

Read first and second time and referred to Committee on Compensation of Public Officers.

House File No. 338, a bill for an act to amend Chapter One Hundred and Twenty (120), laws of the Thirty-first General

Assembly, relating to State Sanatorium at Iowa City, further defining the duties of the Board of Control regarding tuberculosis, and making additional appropriations.

Read first and second time and referred to Committee on Appropriations.

House File No. 462, a bill for an act to release and convey to Mary A. T. Sanders all right, title and interest of the State of Iowa in or to the following described real estate, to-wit: A strip of land situated in west end of lot 3 in section 3, township 79 north, range 6 west of the fifth P. M., in Johnson county, Iowa, and lying between the public highway known as the "Foster road" and the bank of the Iowa river, and extending north 150 feet from the east end of the Terrill dam, situated between lots 3 and 6, in said section 3, and south 150 feet from said dam.

Read first and second time and placed on Calendar.

Senator Hughes moved that House File No. 462 be printed in the Journal.

Carried.

HOUSE FILE NO. 462.

A BILL for an act to release and convey to Mary A. T. Sanders all right, title and interest of the State of Iowa in or to the following described real estate, to-wit: A strip of land situated in west end of lot three (3), in section three (3), township seventy-nine (79) north, range six (6) west of the fifth P. M., in Johnson county, Iowa, and lying between the public highway known as the "Foster road" and the bank of the Iowa river, and extending north 150 feet from the east end of the Terrill dam, situated between lots three (3) and six (6) in said section three (3) and south 150 feet from said dam.

WHEREAS, On the 20th day of August, 1903, Mary A. T. Sanders and her husband, Euclid Sanders, conveyed by warranty deed recorded in book 84, page 558, Deed Records of Johnson county, Iowa, to the State of Iowa for the use and benefit of the State University of Iowa the property described below, a copy of granting clause of said deed being as follows, to-wit:

Know all men by these presents: That Mary A. T. Sanders and Euclid Sanders, her husband, of Johnson county, State of Iowa, in consideration of the sum of one dollar and other valuable considerations in hand paid by the State of Iowa, do hereby sell and convey unto the said State of Iowa, for the use and benefit of the State University

of Iowa, the following described premises, situated in the county of Johnson and State of Iowa, to-wit:

All right, title and interest in and to the dam and water-power on the Iowa river, known as the Terrill dam, situated between lots 3 and 6, section 3, township 79, range 6 west of the 5th principal meridian; also the cribbing and rock-work at the west end of said section 3 above mentioned, and lying between the public highway known as the Foster road and the bank of the Iowa river, and extending north 150 feet from the east end of said dam and south 150 feet from said dam. The conditions of said conveyance are that said water-power shall be for the use and benefit of the State University of Iowa and for no other purpose, and that no steam plant or other than water or electric-power plant shall be erected or used on said premises without the written consent of grantors, their heirs or assigns, and in case of violation of these conditions, or abandonment, or non-use of said water-power for a period of three years, or for the purpose above mentioned, then this conveyance is to be void and the property herein granted is to revert to the grantors, their heirs or assigns: Provided, however, if the said grantee construct a dam within a distance of two miles and below the present site, and of such height as to maintain the level of the water in the river at its present level above the dam herein conveyed, in that case the present site may be abandoned by said grantee and only the title to the strip of land herein conveyed shall revert to the grantors, their heirs or assigns, and the grantee shall have the right to remove within a reasonable time any buildings, fixtures or machinery located on said grounds; and,

WHEREAS, The said dam and water-power have been destroyed and a new dam has been constructed across the Iowa river within a distance of two miles below the site of said old dam, and by the terms of said deed the strip of land above described reverts to the grantors, their heirs or assigns; therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. The State of Iowa hereby relinquishes and conveys to Mary A. T. Sanders all its right, title and interest in the following described real estate, to-wit: A strip of land situated in the west end of lot three (3), in section three (3), township seventy-nine (79) north, range six (6) west of the 5th P. M., in Johnson county, Iowa, lying between the public highway known as the "Foster road" and the bank of the Iowa river, and extending north one hundred and fifty (150) feet from the east end of the dam and water-power on the Iowa river known as the "Terrill dam," situated between lots three and six (3) and (6) in said section three (3) and extending south one hundred and fifty (150) feet from said dam.

SEC. 2. The Governor of the State of Iowa is hereby authorized and directed to execute and deliver to the said Mary A. T. Sanders a deed conveying to her all of the right, title and interest of the State of Iowa in or to the said land.

House File No. 437, a bill for an act to repeal Section Four Hundred and Sixteen (416) of the Code, relating to the division of a county by townships into supervisor districts, changing the time of such division from the regular meeting in June to the regular meeting in January.

Read first and second time and referred to Committee on Judiciary.

Senate File No. 74, a bill for an act limiting the indebtedness of state and savings banks and repealing Section One Thousand Eight Hundred and Fifty-five (1855) of the Code.

Passed on file.

Senate File No. 274, a bill for an act to legalize the plat of W. O. Lee's addition to Macksburg Iowa.

Passed on file.

Senate File No. 343, a bill for an act to legalize the ordinances and amendments to ordinances passed by the town council of Nodaway, Iowa, and to legalize all official acts of the town officials of Nodaway, Iowa, acting as such officials.

Passed on file.

Senate File No. 231, a bill for an act to amend Section Three Thousand Eight Hundred and Fifty-three (3853) of the Code, relating to the recovery of costs by the successful against the losing party.

Passed on file.

House amended and passed Senate File No. 277, a bill for an act to provide a uniform system of books, blanks, records, vouchers, etc., for the use of County Auditors, County Treasurers and Clerks of the District Court.

Passed on file.

House amended and passed substitute for Senate File No. 278, a bill for an act to authorize the construction of a lock canal between Spirit Lake and East Okoboji Lake, in Dickinson county, Iowa.

Passed on file.

House amended and passed Senate File No. 271, a bill for an act to repeal Chapter One Hundred and Forty (140), laws of the Thirty-first General Assembly, relative to bonds of school corporations, and enacting a substitute therefor.

Passed on file.

House has receded from its amendments, as recommended by conference committee, and adopted conference committee report and amendments to Senate File No. 280, 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, and the election of party committeemen, by a primary election, and the holding of conventions by such political parties or organizations, providing penalties for the violation thereof, and repealing Chapter Forty (40), laws of the Thirtieth General Assembly, and Chapters Forty-five (45) and Forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections.

Passed on file.

House File No. 444, a bill for an act to legalize the acts done and the ordinances passed by the town council of Dexter, Dallas county, Iowa.

Read first and second time and referred to Committee on Judiciary.

House has concurred in Senate amendments to House File No. 408, a bill for an act to amend Section Three Hundred and Ten (310) of the Supplement to the Code, relating to qualification for admission to the bar.

Passed on file.

House File No. 479, a bill for an act to authorize and require street railways, and interurban railways operating street railways, to permit interurban railroads to use their tracks and terminal facilities, and to furnish power to interurban railroads in cities, and providing for fixing the compensation therefor, and authorizing street railways to furnish power to interurban railroads.

Read first and second time and referred to Committee on Cities and Towns.

House has adopted and passed Senate substitute for House File No. 65, a bill for an act to safeguard the traveling public and employes upon railroads by limiting the hours of service of employes thereon, additional to Chapter Five (5), Title Ten (10) of the Code.

Passed on file.

House has amended and passed Senate Joint Resolution No. 5, relative to the appointment of a joint committee to purchase chair and gavel for the Speaker of the House and President of the Senate.

Senator Allen moved that the rules be suspended for the consideration of concurrent resolution relative to publication of report of battlefields commission.

Carried.

House concurrent resolution providing for publication of report and history of the southern battlefields commission, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Allen moved the adoption of the following committee amendment:

Strike out the figures "10,000" in the second line after the enacting clause and insert the figures "7,000" in lieu thereof.

Adopted.

Senator Allen moved that the Senate concur in the House concurrent resolution.

Carried.

Senator Mattes filed the following motion:

I move to reconsider the vote by which House File No. 408 passed the Senate March 30, 1907.

JOSEPH MATTES.

Senator Whiting moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9:00 o'clock A.M. Monday.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, APRIL 1, A. D. 1907.

Senate met in regular session at 9 o'clock A. M., President Garst presiding.

Prayer was offered by the Rev. John C. Orth of Walnut.

LEAVE OF ABSENCE GRANTED.

On request of Senator Kimmel, leave of absence was granted Senator Kinne for the day.

PETITIONS AND MEMORIALS.

Senator DeArmand presented remonstrance of the Des Moines County Medical Society against the passage of the proposed measure to license optometry.

Referred to Committee on Public Health.

Senator Bleakly presented petition of physicians of LeMars, Iowa, favoring an appropriation for the erection and maintenance of a hospital for the treatment of tuberculosis.

Referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator Moon, Senate File No. 364, a bill for an act to enable the State of Iowa to sell and dispose of all unclaimed lands within the former channel of the Des Moines river and formed by accretions in consequence of the changes of the channel of such river.

Read first and second time and referred to Committee on Judiciary.

The concurrent resolution offered by Senator Stookey relative to final adjournment was taken up and considered.

Senator Stookey moved the adoption of the concurrent resolution.

Adopted.

REPORT OF COMMITTEE.

Senator Stuckslager, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred House File No. 108, a bill for an act to limit the indebtedness of State and savings banks, and repealing Section Eighteen Hundred Fifty-five (1855) of the Code, beg leave to report that they have had the same under consideration and recommend the same be indefinitely postponed.

W. C. STUCKSLAGER,

Chairman.

Adopted.

So the bill was indefinitely postponed.

CONSIDERATION OF BILLS.

Senator Taylor moved that the rules be suspended for the consideration of House File No. 358.

Carried.

House File No. 358, a bill for an act to amend Section Two Thousand Seven Hundred Seventy-one (2771) of the Supplement to the Code, relative to the filling of vacancies on the school board, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Taylor moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Burgess, Crossley, DeArmand, DeWolf, Dunham,, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hop-

kins, Hughes, Jackson, Jones, Kimmel, Lambert, McManus, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stookey, Stuckslager, Taylor, Whipple, Wilson of Fayette, Wilson of Clinton, Young—34.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, Clark, Dowell, Gale, Jamieson of Page, Jamison of Clarke, Kinne, McKlveen, Maytag, Smith of Mitchell, Stirton, Turner, Wade, Warren, Whiting.—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Smith of Mitchell moved that the rules be suspended for the consideration of House File No. 333.

Carried.

House File No. 333, a bill for an act to amend Sections One Hundred Fifty-six (156) and One Hundred Fifty-seven (157) of the Code, relating to the election and duties of the secretary of the Executive Council and defining the duties of said secretary, and to amend Section One Thousand Three Hundred and Seventy-eight (1378) and Section One Thousand Three Hundred and Eighty-two (1382) of the Code, was taken up and considered.

The bill was read for information.

Senator Smith of Mitchell moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Erickson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Kimmel, McManus, Mattes, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—36.

The nays were:

None.

Absent or not voting:

Senators Allen, Clark, Gale, Jamieson of Page, Jones, Kinne, Lambert, McKlveen, Maytag, Moon, Stirton, Stookey, Stuckslager, Wade—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Mattes moved that the rules be suspended for the consideration of Senate File No. 270.

Senate File No. 270, a bill for an act repealing Sections Two Thousand One Hundred Sixty-five (2165) and Two Thousand One Hundred and Sixty-six (2166) of the Code, and enacting a substitute therefor, pertaining to express companies, with report of committee recommending passage, was taken up and considered.

Senator Mattes moved that the bill be indefinitely postponed for the reason that it is identical with a House bill that has passed the Senate.

Carried.*

So the bill was indefinitely postponed.

Senator Wilson of Fayette moved that the rules be suspended for the consideration of House File No. 426.

Carried.

House File No. 426, a bill for an act to encourage the propagation of Mongolian ringneck, English and Chinese pheasants, and to prohibit the killing 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 Wilson of Fayette moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

None.

Absent or not voting:

Senators Allen, DeArmand, Dowell, Jamieson of Page, Jamison of Clarke, Kinne, McKlveen, Stirton, Stookey, Wade—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 Smith of Mitchell, Senate File No. 303, a bill for an act to amend Section Three Thousand Four Hundred Fifty-six (3456), and additional to Chapter Two (2), Title Eighteen (18) of the Code, relating to limitation of actions, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

Senator Jamison of Clarke moved that the rules be suspended for the consideration of Senate File No. 159.

Carried.

Senate File No. 159, a bill for an act to amend Chapter Six (6), Title Nine (9) of the Code, relating to the distribution of dividends on stock in stock companies writing participating life insurance policies, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Jamison of Clarke moved that the committee substitute be substituted for the original bill.

Carried.

Senator Dowell was called to the chair at 9:30 o'clock.

Senator Jamison of Clarke moved that the rule be suspended, 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, Bruce, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Allen, Burgess, Jamison of Clarke, Kinne, McKlveen, Wade—6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Stuckslager moved that the rules be suspended for the consideration of House File No. 356.

Carried.

House File No. 356, a bill for an act to punish burglary with explosives, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stuckslager moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frud-

den, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were :

None.

Absent or not voting :

Senators Allen, Hopkins, Jamison of Clarke, Kinne, McKlveen, Wade—6.

Senator Dunham moved the adoption of the following amendment to the title of the bill :

Strike out the words "with explosives" and insert in lieu thereof the words "where explosives have been used."

Carried.

So the bill having received a constitutional majority was declared to have passed the Senate and its title, as amended, agreed to.

Senator McManus moved that the rules be suspended for the consideration of Senate File No. 311.

Carried.

Senate File No. 311, a bill for an act to amend Chapter One (1), Title Seven (7) of the Code, relating to the improvement of main roads, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator McManus moved that the committee substitute be substituted for the original bill.

Carried.

Senator Newberry offered the following amendment and moved its adoption :

Section Nine (9) be amended as follows: Strike out all after the semi-colon in the thirteenth line to the period in the fourteenth line and insert

the following: "The balance as follows: to the land and railroad right of way located within one mile, two-thirds, and to the land and railroad right of way over one mile and within two miles of the terminals or sides of railroad, one-third."

By consent the amendment was withdrawn.

Senator Jones moved the adoption of the following amendment:

Amend by adding to Section Nine (9) the following: "Providing that the said assessments upon the land and railroad rights of way shall be levied in accordance with the benefits received by the said improvement."

Adopted.

Senator McManus moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Hopkins, Jones, Kinne, McKlveen, Smith of Mitchell, Wade—6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Stookey filed the following motion:

I move to reconsider the vote by which concurrent resolution for adjournment sine die passed the Senate.

MARION F. STOOKEY.

INTRODUCTION OF BILLS.

By Senator Foley, Senate File No. 365, a bill for an act authorizing counties having a population of 15,000 or over to construct

and maintain a hospital, and authorizing a levy to pay for the erection, construction and maintenance thereof.

Read first and second time and referred to Committee on Judiciary.

Senator Foley moved that the bill be printed in the Journal.

Carried.

SENATE FILE NO. 365.

A BILL for an act authorizing counties having a population of fifteen thousand (15,000) or over to construct and maintain a hospital, and authorizing a levy to pay for the erection, construction and maintenance thereof.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. In all counties having a population of fifteen thousand (15,000) or over the board of supervisors may, by a two-thirds vote of said board, on petition of two hundred (200) citizens of the county, submit to the voters of said county at the general election, or a special election held for the purpose, a proposition to purchase real estate and to erect thereon a hospital. If said proposition shall receive a majority of all the votes cast upon said proposition the board of supervisors shall have power to purchase real estate and provide for the maintenance of said hospital, and to formulate rules and regulations for the government of the same and the admission of inmates thereto. They shall also fix the compensation to be paid by persons received therein; and they shall have the power to provide for the admission for treatment of those who are county charges.

In the submission of the proposition to the voters of any county the supervisors of such county shall, as a part of the proposition, state the maximum sum which it shall be authorized to expend in the purchase of real estate, hospital building and such other buildings as may be necessary to properly maintain said hospital.

SEC. 2. The hospital shall be located at the county seat of said county, or within one-half mile thereof. Whenever any county shall authorize the purchase of real estate, the board of supervisors, if authorized at said election so to do, may issue bonds of the county, drawing interest at a rate not to exceed five per cent, in the aggregate amount authorized at said election, and may from year to year levy a tax for the payment of the same.

SEC. 3. After the erection of the said hospital the board of supervisors may levy a tax not to exceed one mill for the support and maintenance of the same, the said tax to be known as the hospital tax, and the said tax when so levied and collected shall not be used for any purpose other than for the payment of the expense of the equipment and maintenance of said hospital.

SEC. 4. The superintendent of said hospital shall be the executive officer and hold his office for a term of.....years; he shall be appointed by the board of supervisors and shall have entire control of

said hospital, under the direction and supervision of the board of supervisors, and shall employ attendants, nurses and servants and such other persons as shall be necessary for the efficient and economical administration of affairs, and shall annually, in the month of December, make a report to the County Auditor of said county of all receipts and expenses of said hospital. Before entering upon the discharge of his duties the said superintendent shall give bond in the sum of Five Thousand Dollars (\$5,000), duly conditioned for the faithful performance of the duties of his office and the accounting for all funds and property that may come into his hands, whether the same shall be the property of the county or of any patient or employe therein. Said bond shall be approved by the board of supervisors and deposited with the Auditor of the county for safe keeping.

Sec. 5. In the management of said hospital no discrimination shall be made against the practitioners of any school of medicine recognized by the laws of Iowa.

Sec. 6. Any person may receive treatment in said hospital upon such terms and conditions as the board of supervisors may fix.

Senator Warren moved that the rules be suspended for the consideration of House File No. 141.

Carried.

House File No. 141, a bill for an act to amend Section Twenty-Four Hundred and Eighty-three (2483) of the Supplement to the Code, with report of Committee on Appropriations without recommendations, was taken up, considered, and the report of the committee adopted.

Senator Warren moved that the rule be suspended and the bill be read a third time now, which motion prevailed.

Senator Warren moved that the vote by which the bill passed to its third reading be reconsidered.

Carried.

Senator Warren moved the adoption of the following amendments:

Amend title by striking out the period after the last word in said title and add the following thereto: "Relating to salaries of Mine Inspectors."

Amend the enacting clause by inserting after the word "of" the words "the State of."

Adopted.

Senator Warren moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Turner, Warren, Whipple, Whiting. Wilson of Fayette, Young—39.

The nays were:

Senator Jamieson of Page, Taylor—2.

Absent or not voting:

Senators Burgess, Hopkins, Kinne, Lambert, McKlveen, Stirton, Stuckslager, Wade, Wilson of Clinton—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

REPORTS OF COMMITTEE.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 313, a bill for an act dividing the State into districts, establishing agricultural and manual training schools therein, providing for their management, control and the operation thereof, creating a board of trustees therefor, establishing courses of study therein and making provision for the creation and support thereof, beg leave to report that they have had the same under consideration and recommend the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 348, a bill for an act to amend the law as it appears in Section Two Thousand Six Hundred and Eight (2608) of the Supplement to the Code, relating to the Soldiers' Home at Marshalltown, beg leave to report that they have had the same under consideration and recommend the same be amended as follows: Strike out the Senate

amendment raising the per capita from fifteen to sixteen dollars, and when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 42.

MR. PRESIDENT—Your conference committee having under consideration House File No. 42, beg leave to report the same back with the following substitute in lieu thereof:

SUBSTITUTE FOR HOUSE FILE NO. 42.

A BILL for an act to repeal Section Four Hundred and Twelve (412) of the Code, and to enact a substitute therefor, relating to the time of holding meetings of the board of supervisors.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That Section Four Hundred and Twelve (412) of the Code be and the same is hereby repealed and the following enacted in lieu thereof:

The members of the board of supervisors shall meet at the county seat of their respective counties on the second secular day in January and on the first Monday in April and June and the second Monday in September in each year, and on the first Monday in November in odd numbered years, and on the first Monday after the general election in the even numbered years, and shall hold such special meetings as are provided by law.

C. F. PETERSON,
W. P. WHIPPLE,
GEO. W. DUNHAM,
SHIRLEY GILLILLAND,

Conference Committee on part of the Senate.

E. W. WEEKS,
L. D. TETER,
GUY A. FEELY,
C. F. SPRINGER.

Conference Committee on part of the House.

The substitute was read first and second time and passed on file.

Senator Gilliland moved that the rules be suspended for the consideration of House File No. 42.

Carried.

The report of the conference committee on House File No. 42, a bill for an act to repeal Section Four Hundred and Twelve (412) of the Code, and to enact a substitute therefor, relating to the time of holding meetings of the board of supervisors, was taken up and considered.

The substitute recommended by the conference committee was read for information.

Senator Gilliland moved to adopt the report of the conference committee on House File No. 42, and also to adopt and include in the bill the amendments to the bill as recommended by said committee.

On the question, "Shall the report of the conference committee, including the amendments to the bill as recommended by the conference committee, be adopted.

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jamieson of Page, Jamison of Clarke, Kimmel, Maytag, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Whipple, Whiting, Young—30.

The nays were:

Senators DeArmand, Dowell, Jackson, Lambert, Moon, Newberry, Stookey, Taylor, Wilson of Fayette, Wilson of Clinton—10.

Absent or not voting:

Senators Jones, Kinne, McKlveen, McManus, Mattes, Stirton, Stuckslager, Turner, Wade, Warren—11.

So the report of the conference committee, including amendments, having received a constitutional majority, was declared to be adopted.

Senator Maytag moved that the rules be suspended for the consideration of House File No. 128.

Carried.

House File No. 128, a bill for an act to amend Sections Twenty-five Hundred and Twenty-nine (2529), Twenty-five Hundred and Thirty (2530) and Twenty-five Hundred and Thirty-four (2534) of the Code, and to repeal and enact substitutes for Sections Twenty-five Hundred and Thirty-three (2533) and Twenty-five Hundred and Thirty-eight (2538) thereof, relating to the State Veterinary Surgeon, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Maytag moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bruce, Burgess, Clark, Crossley, DeWolf, Dowell, Dunham, Eckles, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jamieson of Page, Kimmel, McManus, Mattes, Maytag, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Turner, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—33.

The nays were:

Senators Bleakly, Taylor—2.

Absent or not voting:

Senators DeArmand, Elerick, Gale, Jackson, Jamison of Clark, Jones, Kinne, Lambert, McKlveen, Moon, Nichols, Stirton, Stuckelager, Wade, Warren—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Crossley moved that the rules be suspended for the consideration of House File No. 396.

Carried.

House File No. 396, a bill for an act defining bucket shop and bucket shopping, making it a crime to maintain and operate the same, and providing penalties for so doing, 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 the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gillil-

land, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators DeArmand, DeWolf, Dunham, Jamison of Clark, Kinne, Lambert, McKlveen, McManus, Warren—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Smith of Mitchell moved that when the Senate adjourn it be until 1:30 o'clock P.M.

Carried.

The resolution offered by Senator Smith of Mitchell, relative to the appointment of a sifting committee, was taken up and considered.

Senator Smith of Mitchell offered the following as a substitute for the pending resolution, and moved its adoption:

Resolved, That the President of the Senate shall, before the close of the session this afternoon, appoint a sifting committee to consist of seven members, to which shall be referred all bills other than appropriation bills, and that beginning on Tuesday morning, April 2d, no bills, except appropriation bills, shall be considered unless reported by said committee.

Senator Maytag moved the adoption of the following amendment to the substitute:

Move to amend by adding thereto as follows:

"And no bills shall be reported or considered by the Senate that shall have been reported for indefinite postponement."

Adopted.

The substitute as amended was adopted.

The resolution as amended by amended substitute was adopted.

The President resumed the chair at 11:35 o'clock.

Senator Maytag moved that the Senate do now go into executive session.

Carried.

The Senate went into executive session.

Senate arose from executive session and resumed regular session.

Senator Smith of Mitchell moved to reconsider the vote by which the time of adjournment was fixed at 1:30 o'clock P.M.

Carried.

Senator Smith of Mitchell moved to amend the motion by changing the time from 1:30 o'clock to 2:00 o'clock P.M.

Carried.

The motion as amended prevailed.

Senator Smith of Mitchell moved that the Senate do now adjourn.

Carried.

Senate adjourned until 2:00 o'clock P.M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P.M., President Garst presiding.

The President announced as sifting committee, in accordance with the resolution passed at the morning session: Senators Smith of Mitchell, Peterson, Whipple, Mattes, Dunham, Lambert and Stirton.

THIRD READING OF BILLS.

On motion of Senator Maytag, House Joint Resolution No. 4, approving estimates of cost, plans and specifications of library building at Cedar Falls, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The joint resolution was read for information.

Senator Maytag moved the adoption of the following amendment:

Amend by striking out all following the enacting clause and insert the following:

"That the plans and specifications for the erection of a library building at the State Normal School at Cedar Falls, Iowa, submitted to the General Assembly of Iowa for approval, are hereby approved and the board of trustees of State Normal School are hereby authorized to erect said building thereunder; provided, however, that the erection cost of said building and the furnishing and equipment thereof shall not exceed in the aggregate the sum of \$175,000."

Also amend by striking out the word "regent" wherever it appears in the "whereas."

Adopted.

Senator Maytag moved that the rule be suspended and the joint resolution be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeWolf, Dunham, Eckles, Elerick, Erieson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators DeArmand, Dowell, Kinne, McKlveen, McManus, Smith of Des Moines—6.

So the joint resolution 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. 463, a bill for an act to amend Section Thirty-five Hundred and Forty (3540) of the Code, relating to the publication of original notices in actions against unknown defendants.

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. 433, a bill for an act to repeal Section Ten Hundred and Ninety-one (1091) of the Code, relating to polling places and their location, and enacting in lieu thereof 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 Senate is asked:

House File No. 315, a bill for an act to provide for agricultural extension work, for a correspondence school of agriculture by the Iowa State College of Agriculture and Mechanic Arts, and making appropriations 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. 435, a bill for an act defining, regulating and conferring rights and powers upon automobile railways, additional to Chapter Four (4), Title Ten (10) 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. 464, a bill for an act to legalize the plat and dedication of the college addition, commonly known as First College addition, the Second College addition, Lathrop's addition and Johnston's addition to the incorporated town of Humboldt (formerly Springvale), Humboldt 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. 469, a bill for an act authorizing the State Board of Control of the State of Iowa to grant the right of way for an interurban or other railway over and across the lands of the Iowa State Hospital

for the Insane at Mount Pleasant, Henry county, Iowa, and to fix terms and conditions 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. 473, a bill for an act to legalize the annexation of certain territory to the city of Centerville, Appanoose county, Iowa, and the election of officers by said city as enlarged.

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 making appropriations 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. 61, a bill for an act relating to liability of corporations operating railways, to their employes.

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. 470, a bill for an act to legalize the incorporation of the town of Prairieburg, Linn 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.

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. 474, a bill for an act to amend Section Fifty Hundred and Sixty-two (5062) of the Code, relative to penalty for combinations, pools and trusts.

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. 460, a bill for an act providing the manner of reporting telephone exchanges for assessment when not connected by intervening lines.

C. R. BENEDICT,
Chief Clerk.

Also :

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed Senate substitute to House File No. 228, a bill for an act to repeal Section Forty-nine Hundred and Ninety-nine-b (4999-b) as it appears in 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. 305, a bill for an act to amend Section Twenty-one Hundred and Sixteen (2116) of the Code, relating to the duty of railroads.

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. 237, a bill for an act providing for scales and the weighing of commodities transported in carload lots, and furnishing certificates of weight by common carriers, and providing for penalties for the violation of this act, in addition to Chapter Seven (7), Title Ten (10) of 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:

Substitute for Senate File No. 42, a bill for an act relating to the capital stock of insurance companies, providing the conditions under which such companies shall operate upon the stock plan, prohibiting the advertising of an authorized capital, and providing penalties for the violation hereof.

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 the following bill, in which the concurrence of the House was asked:

House File No. 130, a bill for an act to amend Section Three Hundred and Eight (308) of the Supplement to the Code, as amended by Chapter Eleven (11), acts of the Thirty-first General Assembly, relating to the compensation of County Attorneys.

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. 160, a bill for an act to amend the law as it appears in Section One Hundred and Sixty-eight (168) of the Supplement to the Code, and in Chapter Two (2) of Title Thirteen (13) of the Code and Code Supplement and amendments thereto, and Chapter One Hundred and Twenty-two (122) of the acts of the Thirty-first General Assembly, defining the duties, fixing the compensation, and providing for the supplies and printing, and providing for the payment of the expenses of the Educational Board of Examiners, its secretary and employes.

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 granting to cities and towns power to regulate, define, tax, license and prohibit public dance halls, skating rinks, fortune tellers, palmists and clairvoyants, and to license and regulate the construction of bill boards, and to tax owners or persons maintaining 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. 123, a bill for an act to amend Section Forty-nine Hundred and Sixty-nine (4969) of the Code, providing for the punishment of cruelty to animals.

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. 204, a bill for an act to amend the law as it appears in Section Twenty-five Hundred and Ninety-six (2596) of the Supplement to the Code, in relation to the sale of cocaine, and restricting the sale of certain other drugs.

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. 267, a bill for an act to permit fraternal beneficiary societies, orders or associations to purchase and own real estate, to erect buildings thereon and to occupy and rent 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. 340, a bill for an act amending Section Twenty Hundred and Fifty-one (2051) of the Code, relating to the conditional sale or lease of railroad or street railway equipment or rolling stock, so as to provide for the conditional sale or lease of power house and electrical equipment of interurban or street railways or of electric light and power companies or of steam heating 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 House was asked:

Senate File No. 73, 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.

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. 76, a bill for an act repealing Sections Eighteen Hundred and Seventy-two (1872) and Eighteen Hundred and 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.

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. 325, a bill for an act to amend Section Five Hundred and Forty-three (543) of the Code, relating to the fees of County Surveyors.

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. 312, a bill for an act authorizing cities and towns, including cities under special charter, to provide for the collection and disposal of garbage, and for the payment for such service.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senator Maytag moved that the rules be suspended for the consideration of House File No. 39.

Carried.

House File No. 29, a bill for an act to amend Section Seven (7) of Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly, relating to registration of births and deaths, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Senator Maytag moved that the committee substitute be substitute for the original bill.

Carried.

The bill was read for information.

Senator Maytag moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, De-

Armand, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were:

None.

Absent or not voting:

Senators Dowell, Kinne, Lambert, McKlveen, McManus, Mattes, Smith of Des Moines—7.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Maytag moved that the rules be suspended for the consideration of House File No. 101.

Carried.

House File No. 101, a bill for an act appropriating money to J. H. Cownie, Jr., R. R. McCutchen and F. M. Hubbell, as trustees, to reimburse them for the funds advanced and used in the purchase of a tract of land for the State as an addition to the State Fair Grounds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Maytag moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith

of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Bruce, Kinne, McKlveen, McManus, Smith of Des Moines, Wade—6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Gilliland moved that House File No. 479 be withdrawn from the Committee on Cities and Towns and referred to Committee on Railroads.

Carried.

Senator Maytag moved that the rules be suspended for the consideration of House File No. 281.

Carried.

House File No. 281, a bill for an act to appropriate not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00) for experiments in animal breeding and feeding, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Maytag moved the adoption of the following committee amendment:

Strike out in lines six and seven, Section One (1) of the original bill, the words "developing types of horses hardier, more resistant to disease, and better suited to climatic conditions," and insert in lieu thereof "the breeding and development of horses and other domestic animals with the view of producing types hardier, more prolific, more resistant to disease, and better suited to our market demands and climatic conditions."

Adopted.

The bill, as amended, was read for information.

Senator Dunham moved the adoption of the following amendment:

Insert after the words and figures "Seven Thousand Five Hundred Dollars (\$7,500.00)" wherever they appear in Section One (1) the word "annually."

Adopted.

Senator Maytag moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Kinne, McKlveen, McManus, Saunders, Taylor, Wade—6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Dunham moved the adoption of the following amendment to the title of the bill:

Amend the title by inserting the word "annually" after the words and figures "Seventy-five Hundred (\$7,500.00) Dollars."

Adopted.

Senator Saunders filed the following motion:

I move to reconsider the vote by which House File No. 379 passed the Senate.

C. G. SAUNDERS.

Senator Maytag moved that the rules be suspended for the consideration of Senate File No. 348.

Carried.

House File No. 348, a bill for an act to amend the law as it appears in Section Twenty-six Hundred and Eight (2608) of the Supplement to the Code, relating to the Soldiers' Home at Marshalltown, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Maytag moved the adoption of the following committee amendment:

Strike out the Senate amendment raising the per capita from Fifteen Dollars (\$15.00) to Sixteen Dollars (\$16.00).

Adopted.

Senator Eckles moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Stirton, Stookey, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—39.

The nays were:

None.

Absent or not voting:

Senators Gale, Hopkins, Kinne, Lambert, McKlveen, McManus, Saunders, Smith of Mitchell, Stuckslager, Taylor, Wade—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Maytag moved that the rules be suspended for the consideration of Senate File No. 301.

Carried.

Senate File No. 301, a bill for an act to indemnify C. T. Jones for money paid out by him in contesting a civil action instituted

against him by the State of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators Kinne, McKlveen, McManus, Smith of Des Moines, Wade—5.

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.

Senator Seeley, 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. 74, a bill for an act limiting the indebtedness of state and savings banks, and repealing Section Eighteen Hundred and Fifty-five (1855) of the Code.

Also:

Senate File No. 231, a bill for an act to amend Section Thirty-eight Hundred and Fifty-five (3855) of the Code, relating to the recovery of costs by the successful against the losing party.

Also:

Senate File No. 274, a bill for an act to legalize the plat of W. O. Lee's addition to Macksburg, Iowa.

Also:

Senate File No. 343, a bill for an act to legalize the ordinances and amendments to ordinances passed by the town council of Nodaway, Iowa, acting as such officials.

Also:

Senate File No. 276, a bill for an act to amend the law as it appears in Section One Hundred and Thirty-six (136) of the Supplement to the Code, fixing the manner of distribution of the report of the Academy of Sciences.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 74, a bill for an act limiting the indebtedness of state and savings banks, and repealing Section Eighteen Hundred and Fifty-five (1855) of the Code.

Also:

Senate File No. 231, a bill for an act to amend Section Thirty-eight Hundred and Fifty-five (3855) of the Code, relating to the recovery of costs by the successful against the losing party.

Also:

Senate File No. 274, a bill for an act to legalize the plat of W. O. Lee's addition to Macksburg, Iowa.

Also:

Senate File No. 343, a bill for an act to legalize the ordinances and amendments to ordinances passed by the town council of Nodaway, Iowa, acting as such officials.

Also:

Senate File No. 276, a bill for an act to amend the law as it appears in Section One Hundred and Thirty-six (136) of the Supplement to the Code, fixing the manner of distribution of the report of the Academy of Sciences.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 74, a bill for an act limiting the indebtedness of state and savings banks, and repealing Section Eighteen Hundred and Fifty-five (1855) of the Code.

Also:

Senate File No. 231, a bill for an act to amend Section Thirty-eight Hundred and Fifty-five (3855) of the Code, relating to the recovery of costs by the successful against the losing party.

Also:

Senate File No. 274, a bill for an act to legalize the plat of W. O. Lee's addition to Macksburg, Iowa.

Also:

Senate File No. 343, a bill for an act to legalize the ordinances and amendments to ordinances passed by the town council of Nodaway, Iowa, acting as such officials.

Senate File No. 276, a bill for an act to amend the law as it appears in Section One Hundred and Thirty-six (136) of the Supplement to the Code, fixing the manner of distribution of the report of the Academy of Sciences.

W. B. SEELEY,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 65, a bill for an act to safeguard the traveling public and employes upon railroads, by limiting the hours of service of employes thereon, additional to Chapter Five (5), Title Ten (10) of the Code.

Also:

House File No. 298, a bill for an act to amend the law as it appears in Chapter Twenty-two (22) of the acts of the Thirty-first General Assembly, relating to the construction and maintenance of hospitals.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

THIRD READING OF BILLS.

Senator Maytag moved that the rules be suspended for the consideration of House File No. 351.

Carried.

House File No. 351, a bill for an act to amend Section Thirteen (13), Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly, relating to appropriation for the enforcement of pure food law, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Mattes moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Lambert, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuekslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—42.

The nays were:

None.

Absent or not voting:

Senators Eckles, Jackson, Kinne, McKlveen, McManus, Moon, Wade, Young—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Smith of Mitchell moved that the rules be suspended for the consideration of Senate File No. 362.

Carried.

Senate File No. 362 a bill for an act to amend Chapter Four (4), Title Seven (7) of the Code, relating to the collection of a tax upon inheritance, was taken up and considered.

The bill was read for information.

Senator Gilliland moved the adoption of the following amendment:

Amend by inserting after the word "where" the words "after the payment of all debts of the estate" and strike out of said section the words "after the payment of all debts" in lines five and six of Section One (1) of the bill.

Adopted.

Senator Young was called to the chair at 3:20 o'clock.

Senator Saunders moved the adoption of the following amendment:

Amend Section One (1) of the bill by inserting a comma after the word "decedent" in line five and the words "step-child or the lineal descendant of a step-child of the decedent."

Adopted.

The President resumed the chair at 3:25 o'clock.

Senator Dunham moved the adoption of the following amendment:

Strike words and figures "Section Fourteen Hundred and Sixty-seven-F (1467-F), appearing as the first words and figures in line three of Section One (1) of the bill.

Adopted.

Senator Smith of Mitchell moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Frudden, Gilliland Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Lambert, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Smith of Mitchell, Stirton, Stookey, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—32.

The nays were :

Senators Bruce, DeWolf, Elerick, Ericson, Gale, Nichols, Taylor—7.

Absent or not voting :

Senators Foley, Jones, Kimmel, Kinne, McKlveen, McManus, Seeley, Smith of Des Moines, Stueckslager, Turner, Wade—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. 463, a bill for an act to amend Section Three Thousand Five Hundred and Forty (3540) of the Code, relating to the publication of original notices in actions against unknown defendants.

Read first and second time and referred to Committee on Judiciary.

House File No. 433, a bill for an act to repeal Section One Thousand and Ninety-one (1091) of the Code, relating to polling places and their location, and enacting in lieu thereof the following.

Read first and second time and referred to Committee on Elections.

House File No. 315, a bill for an act to provide for agricultural extension work, for a correspondence school of agriculture by the Iowa State College of Agriculture and Meehanic Arts, and making appropriations therefor.

Read first and second time and referred to Committee on Appropriations.

House File No. 435, a bill for an act defining, regulating and conferring rights and powers upon automobile railways, additional to Chapter Four (4), Title X (10) of the Code.

Read first and second time and referred to Committee on Railroads.

House File No. 464, a bill for an act to legalize the plat and dedication of the College addition, commonly known as First College addition, the Second College addition, Lathrop's addition

and Johnston's addition to the incorporated town of Humboldt (formerly Springvale), Humboldt county, Iowa.

Read first and second time and referred to Committee on Judiciary.

House File No. 469, a bill for an act authorizing the State Board of Control of the State of Iowa to grant the right of way for an interurban or other railway over and across the lands of the Iowa State Hospital for the Insane at Mt. Pleasant, Henry county, Iowa, and to fix terms and conditions therefor.

Read first and second time and referred to Committee on Railroads.

House File No. 473, a bill for an act to legalize the annexation of certain territory to the city of Centerville, Appanoose county, Iowa, and the election of officers by said city as enlarged.

Read first and second time and referred to sifting committee.

House File No. 100, a bill for an act making appropriations for the State Normal School.

Read first and second time and referred to Committee on Appropriations.

House File No. 61, a bill for an act relating to liability of corporations operating railways to their employes.

Read first and second time and referred to Committee on Judiciary.

House File No. 470, a bill for an act to legalize the incorporation of the town of Prairieburg, Linn 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. 474, a bill for an act to amend Section Five Thousand and Sixty-two (5062) of the Code, relative to penalty for combinations, pools and trusts.

Read first and second time and referred to Committee on Judiciary.

House File No. 460, a bill for an act providing the manner

of reporting telephone exchanges for assessment when not connected by intervening lines.

Read first and second time and referred to Committee on Telephones and Telegraph.

House has amended and passed Senate substitute for House File No. 228, a bill for an act to repeal Section Four Thousand Nine Hundred and Ninety-nine-b (4999-b) as it appears in the Supplement to the Code.

Passed on file.

House has amended and passed Senate File No. 305, a bill for an act to amend Section Two Thousand One Hundred and Sixteen (2116) of the Code, relating to the duty of railroads.

Passed on file.

House has amended and passed substitute for Senate File No. 237, a bill for an act providing for scales and the weighing of commodities transported in carload lots, and furnishing certificates of weight by common carriers, and providing penalties for the violation of this act, in addition to Chapter Seven (7), Title X (10) of the Code.

Passed on file.

House has amended and passed substitute for Senate File No. 42, a bill for an act relating to the capital stock of insurance companies, providing the conditions under which such companies shall operate upon the stock plan, prohibiting the advertising of an authorized capital, and providing penalties for the violation hereof.

Passed on file.

House refuses to concur in Senate amendments to House File No. 130, a bill for an act to amend Section Three Hundred and Eight (308) of the Supplement to the Code as amended by Chapter Eleven (11), acts of the Thirty-first General Assembly, relating to the compensation of County Attorneys.

Passed on file.

Substitute for Senate File No. 160, a bill for an act to amend the law as it appears in Section One Hundred and Sixty-eight (168) of the Supplement to the Code, and in Chapter Two (2) of

Title XIII (13) of the Code and Code Supplement and amendments thereto, and Chapter One Hundred, and Twenty-Two (122) of the acts of the Thirty-first General Assembly, defining the duties, fixing the compensation and providing for the supplies and printing and providing for the payment of the expenses of the Educational Board of Examiners, its secretary and employes.

Passed on file.

Senate File No. 347, a bill for an act granting to cities and towns power to regulate, define, tax, license and prohibit public dance halls, skating rinks, fortune tellers, palmists and clairvoyants, and to license and regulate the construction of bill boards and to tax owners or persons maintaining the same.

Passed on file.

Senate File No. 123, a bill for an act to amend Section Four Thousand Nine Hundred and Sixty-nine of the Code, providing for the punishment of cruelty to animals.

Passed on file.

Senate File No. 204, a bill for an act to amend the law as it appears in Section Two Thousand Five Hundred and Ninety-six (2596) of the Supplement to the Code, in relation to the sale of cocaine, and restricting the sale of certain other drugs.

Passed on file.

Senate File No. 267, a bill for an act to permit fraternal beneficiary societies, orders or associations to purchase and own real estate, to erect buildings thereon and to occupy and rent the same

Passed on file.

Senate File No. 340, a bill for an act amending Section Twenty-Hundred and Fifty-one (2051) of the Code, relating to the conditional sale or lease of railroad or street railway equipment or rolling stock, so as to provide for the conditional sale or lease of power house and electrical equipment of interurban or street railways, or of electric light and power companies, or of steam heating companies.

Passed on file.

Senate File No. 73, 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.

Passed on file.

House has indefinitely postponed Senate File No. 76, a bill for an act repealing Sections Eighteen Hundred and Seventy-two (1872) and Eighteen Hundred and 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.

Passed on file.

House has indefinitely postponed Senate File No. 325, a bill for an act to amend Section Five Hundred and Forty-three (543) of the Code, relating to the fees of County Surveyors.

Passed on file.

House has indefinitely postponed Senate No. 312, a bill for an act authorizing cities and towns, including cities under special charter, to provide for the collection and disposal of garbage, and for the payment for such service.

Passed on file.

The President announced that he had signed, in the presence of the Senate, Senate Files No. 231, 74, 343, 274 and 276; House Files No. 65 and 298.

Senator Hopkins filed the following motion:

I move to reconsider the vote by which concurrent resolution providing for adjournment sine die on Friday, April 5th, 1907, passed the Senate on April 1st, 1907.

F. M. HOPKINS.

Senator Dunham moved that the Senate do now adjourn.

On the motion to adjourn, a roll call was demanded.

On the question, "Shall the Senate now adjourn?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Lambert, Maytag, Moon, Newberry, Saunders, Seeley, Smith of Des

Moines, Smith of Mitchell, Stookey, Stuckslager, Taylor, Whipple, Wilson of Fayette, Wilson of Clinton, Young—33.

The nays were :

Senators Allen, Crossley, Ericson, Hopkins, Hughes, Kimmel, Mattes, Nichols, Peterson, Stirton, Turner, Warren, Whiting—13.

Absent or not voting :

Senators Kinne, McKlveen, McManus, Wade—4.

So the motion to adjourn prevailed.

Senate adjourned until 9 o'clock A.M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA. TUESDAY, APRIL 2, A. D. 1907.

Senate met in regular session at 9 o'clock A.M., President Garst presiding.

Prayer was offered by Senator Bleakly of Ida Grove.

PETITIONS AND MEMORIALS.

Senator Bruce presented petition of constituents favoring the passage of House File No. 438, relative to length of term of county officials.

Referred to Sifting Committee.

On request of Senator Kimmel, leave of absence was granted Senator Kinne until tomorrow.

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. 213, a bill for an act to provide for a public school teachers' retirement fund in school districts having a population of over 10,000 inhabitants, beg leave to report that they have had the same under consideration and recommend 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. 252, a bill for an act to repeal Section Two Thousand

Eight Hundred and Fourteen (2814) of the Code and enact a substitute therefor, relative to the acquisition of school sites, beg leave to report that they have had the same under consideration and recommend the same do pass.

JAMES J. CROSSLEY,
Chairman.

Referred to Sifting Committee.

Senator Crossley, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 238, a bill for an act to legalize county certificates issued by county superintendents prior to October 1, 1906, and to declare the rights of the holders thereof, beg leave to report that they have had the same under consideration and recommend the same be indefinitely postponed.

JAMES J. CROSSLEY,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Elerick, 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. 212, a bill for an act providing for the examination and firing of shots in mines where shooting and blasting is done, etc., beg leave to report that they have had the same under consideration and recommend the same to be indefinitely postponed.

JAMES ELERICK,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Wilson of Fayette, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 329, a bill for an act to repeal the law as it appears in Chapter Thirty-nine (39), Section One (1) of the acts of the Thirty-first General Assembly, relating to the term of office of the county officers, extending the time of office of the County Auditor, Clerk, Recorder of Deeds and County Attorney, and making the term of office four years, beg leave to report that they have had the same under consideration and recommend the same for indefinite postponement.

A. C. WILSON,
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. 444, a bill for an act to legalize the acts done and the ordinances passed by the town council of Dexter, Dallas county, Iowa, beg leave to report that they have had the same under consideration and recommend the same do pass.

C. C. DOWELL,
Chairman.

Referred to Sifting 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. 364, a bill for an act to enable the State of Iowa to sell and dispose of all unclaimed lands within the former channel of the Des Moines river and formed by accretions in consequence of the changes of the channel of such river, beg leave to report that they have had the same under consideration and recommend the same do pass.

C. C. DOWELL,
Chairman.

Referred to Sifting 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. 414, a bill for an act to repeal Section Twenty-nine Hundred Thirty-five (2935) of the Code, and to enact a substitute therefor, relating to indexes to be kept by County Recorders, beg leave to report that they have had the same under consideration and recommend the same do pass.

C. C. DOWELL,
Chairman.

Referred to Sifting 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. 437, a bill for an act to repeal Section Four Hundred and Sixteen (416) of the Code, relating to the division of a county by townships into supervisor districts, changing the time of such division from the regular meeting in June to the regular meeting in January, beg leave to report that they have had the same under consideration and recommend the same be indefinitely postponed.

C. C. DOWELL,
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 Senate File No. 86, a bill for an act to amend Section Four Thousand and Eleven (4011) of the Code, relating to exemption of personal earnings, beg leave to report that they have had the same under consideration and recommend the same be indefinitely postponed.

C. C. DOWELL,
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 Senate File No. 148, a bill for an act relating to the consideration of appealed criminal cases by the Supreme Court, beg leave to report that they have had the same under consideration and recommend the same be indefinitely postponed.

C. C. DOWELL,
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 Senate File No. 99, 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, etc., beg leave to report that they have had the same under consideration and recommend the same be indefinitely postponed.

C. C. DOWELL,
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. 61, a bill for an act relating to liability of corporations operating railways to their employes, beg leave to report that they have had the same under consideration and recommend the same be indefinitely postponed.

C. C. DOWELL,
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. 470, a bill for an act to legalize the incorporation of the town of Prairieburg, Linn 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 recommend that the same do pass.

C. C. DOWELL,
Chairman.

Referred to Sifting 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. 464, a bill for an act to legalize the plat and dedication of the college addition (commonly known as First College addition), the Second College addition, Lathrop's addition and Johnston's addition to the incorporated town of Humboldt (formerly Springvale), Humboldt county, Iowa, beg leave to report that they have had the same under consideration and recommend that the same do pass.

C. C. DOWELL,
Chairman.

Referred to Sifting 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. 474, a bill for an act to amend Section Five Thousand Sixty-two (5062) of the Code, relative to penalty for combinations, pools and trusts, beg leave to report that they have had the same under consideration and recommend that the same do pass.

C. C. DOWELL,
Chairman.

Referred to Sifting 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. 463, a bill for an act to amend Section Three Thousand Five Hundred and Forty (3540) of the Code, relating to the publication of original notices in actions against unknown defendants, beg leave to report that they have had the same under consideration and recommend that the same do pass.

C. C. DOWELL,
Chairman.

Referred to Sifting 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. 287, a bill for an act to amend the law as it appears in Section Sixteen Hundred and Ten (1610) of the Supplement to the Code, in relation to corporations for pecuniary profit, beg leave to report that they have had the same under consideration and recommend that the same do pass.

C. C. DOWELL,
Chairman.

Referred to Sifting 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. 313, a bill for an act to repeal the law as it appears in Chapter One Hundred and 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, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

C. C. DOWELL,
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 Senate File No. 246, a bill for an act to secure the payment of the claims

of material men, merchants or laborers employed by contractors upon State, municipal or other public work, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

C. C. DOWELL,
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 Senate File No. 150, a bill for an act relating to the reversal of appealed criminal cases by the Supreme Court, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

C. C. DOWELL,
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 Senate File No. 365, a bill for an act authorizing counties having a population of fifteen thousand (15,000) or over to construct and maintain a hospital, and authorizing a levy to pay for the erection, construction and maintenance thereof, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Gilliland, 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. 304, a bill for an act authorizing the giving of pensions to disabled and retired firemen and the widows and minor children and dependent fathers and mothers of deceased firemen in cities, incorporated towns and special charter cities, having organized fire departments; creating a fund from which to pay such pensions, and providing for the distribution thereof; creating a board of trustees to care for such pension fund, and prescribing their powers and duties; and authorizing the retiring from service of firemen under certain conditions,

beg leave to report that they have had the same under consideration and recommend that the same do pass.

SHIRLEY GILLILLAND,
Chairman.

Referred to Sifting Committee.

Senator Gilliland, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House File No. 411, a bill for an act to amend Title Five (5), Chapter Nine (9) of the Code and amendments thereto, relating to Park Commissioners, beg leave to report that they have had the same under consideration and recommend that the same be amended as follows:

Amend by inserting a period after the word "election" in the thirteenth line of Section Two (2), following the word "such" and by striking out from said section, following the word "election," the words "provided, however, that nothing in this section shall apply to such municipalities that have heretofore established a park commission."

Amend Section Five (5) by inserting after the word "parks" in line Seven (7) of said section the words "and paving streets adjacent thereto."

Amend Section Fifteen (15) by striking therefrom the period after the word "repealed" in the last line of said section, and by adding to said section the following: "but nothing in this act shall be construed as affecting the tenure of office of Park Commissioners heretofore elected in cities or towns heretofore having a park commission."

And when so amended the bill do pass.

SHIRLEY GILLILLAND,
Chairman.

Referred to Sifting Committee.

Senator Mattes, 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 for pardon of John G. Steel, a convict now confined at Fort Madison, Iowa, under life sentence from the District Court of Monroe county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for pardon be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes, 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 for pardon of W. P. Glyndon, a convict now confined at Fort Madison, Iowa, under life sentence from the District

Court of Story county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for pardon be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes, 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 for pardon of Nathan Rainsbarger, a convict now confined at Anamosa, Iowa, under life sentence from the District Court of Marshall county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for pardon be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes, 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 for pardon of Frank Rainsbarger, a convict now confined at Anamosa, Iowa, under life sentence from the District Court of Marshall county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for pardon be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes, 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 for pardon of Elmer Warren, a convict now confined at Anamosa, Iowa, under life sentence from the District Court of Tama county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for pardon be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes, 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 for pardon of John Penny, a convict now confined at Anamosa, Iowa, under life sentence from the District Court of Emmet county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for pardon be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes, 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 for pardon of L. W. Haley, a convict now confined at Anamosa, Iowa, under life sentence from the District Court of Dubuque county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for pardon be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes, 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 for pardon of Thomas W. Watson, a convict now confined at Anamosa, Iowa, under life sentence from the District Court of Mills county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes, 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 for pardon of Otto Otten, a convict now on parole granted by the Twenty-ninth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for pardon be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes, 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 for pardon of Charles Stegall, a convict now confined at Anamosa, Iowa, under life sentence from the District Court of Scott county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes 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 for pardon of James Burns, a convict now confined at Fort Madison, Iowa, under life sentence from the District Court of Polk county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes 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 for pardon of William Toole, a convict now confined at Anamosa, Iowa, under life sentence from the District Court of Sac county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes 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 for pardon of G. A. Williams, a convict now confined at Fort Madison, Iowa, under life sentence from the District Court of Union county, Iowa, for murder in the first

degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes 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 for pardon of J. B. Taylor, a convict now confined at Anamosa, Iowa, under life sentence from the District Court of Clinton county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes 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 for pardon of Alexander D. Storms, a convict now confined at Fort Madison, Iowa, under life sentence from the District Court of Louisa county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes 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 for pardon of Hugh Robbard, now confined at Anamosa, Iowa, under life sentence from the District Court of Dubuque county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes 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 for pardon of George Weems, a convict now confined at Fort Madison, Iowa, under life sentence from the District Court of Polk county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Mattes 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 for pardon of M. B. Foster, a convict now confined at Fort Madison, Iowa, under life sentence from the District Court of Taylor county, Iowa, for murder in the first degree, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

JOSEPH MATTES,
Chairman.

Adopted.

Senator Young, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred House File No. 268, a bill for an act to define and regulate the practice of optometry and for creation of a board of examiners in optometry, beg leave to report that they have had the same under consideration and recommend the same for indefinite postponement.

HENRY YOUNG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Mattes, 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 for pardon of Jasper Mason, a convict now confined at Anamosa, Iowa, under life sentence for murder in the first degree, beg leave to report that they have had the same under con-

sideration and report the same back with the recommendation that the following resolution be adopted:

CONCURRENT RESOLUTION AUTHORIZING AND RECOMMENDING THE PAROLE OF
JASPER MASON.

Be It Resolved by the Senate of the Thirty-second General Assembly of the State of Iowa, the House concurring, That the Governor be and is hereby authorized to grant, and we advise and recommend that he grant a parole to Jasper Mason, now confined in the penitentiary at Anamosa, Iowa, under life sentence from the District Court of Iowa, in and for Dallas county.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Senator Mattes, 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 for pardon of Orman McPherson, a convict now confined at Fort Madison, Iowa, under life sentence for murder in the first degree, beg leave to report that they have had the same under consideration and report the same back with the recommendation that the following resolution be adopted:

CONCURRENT RESOLUTION AUTHORIZING AND RECOMMENDING THE PAROLE OF
ORMAN M'PHERSON.

Be It Resolved by the Senate of the Thirty-second General Assembly of the State of Iowa, the House Concurring, That the Governor be and is hereby authorized to grant, and we advise and recommend that he grant a parole to Orman McPherson, now confined in the penitentiary at Fort Madison, Iowa, under life sentence from the District Court of Iowa, in and for Louisa county.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Senator Mattes, 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 for pardon of Betsey Smith, a convict now confined at Anamosa, Iowa, under life sentence for murder in the first degree, beg leave to report that they have had the same under consideration and report the same back to the Senate with the recommendation that the following resolution be adopted:

CONCURRENT RESOLUTION AUTHORIZING AND RECOMMENDING THE PAROLE OF
BETSEY SMITH.

Be It Resolved by the Senate of the Thirty-second General Assembly of the State of Iowa, the House Concurring, That the Governor be and is hereby authorized to grant, and we advise and recommend that he grant a parole to Betsey Smith, a convict now confined in the penitentiary at

Anamosa, Iowa, under life sentence from the District Court of Iowa, in and for Polk county.

JOSEPH MATTES,
Chairman.

Ordered passed on file.

Senator Mattes moved that the applications for pardon of Betsey Smith, Orman McPherson and Jasper Mason be made a special order for tomorrow afternoon at 2 o'clock.

Carried.

Senator Dunham, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 361, a bill for an act to authorize and direct Boards of Supervisors in the State of Iowa in counties adjoining and bordering upon the state line of Missouri, directing the said Board of Supervisors to agree with the supervisors in the adjoining counties in the state of Missouri as to the portion of highways on said state line which should be kept in repair by the authorities in each of the said states, beg leave to report that they have had the same under consideration and recommend that the following substitute be adopted:

SUBSTITUTE FOR SENATE FILE NO. 361.

A BILL for an act to authorize and direct Boards of Supervisors in the State of Iowa in counties adjoining and bordering upon the state line to meet the authorities in control and charge of the public highways in adjoining counties of other states and agree upon and assign the portion or part of each public highway upon the state line between such states to be kept in repair by the authorities in the State of Iowa and such other states.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. The Boards of Supervisors of the various counties of the State of Iowa, bordering upon the state line, are hereby authorized to meet the authorities in control and charge of the public highways in the adjoining counties of other states and agree upon and assign the portion or part of each public highway upon the state line between such states to be kept in repair by the authorities of the State of Iowa and such other states.

And when so amended the bill do pass.

GEO. W. DUNHAM,
Chairman Pro Tem.

The substitute was read first and second time.

Referred to Sifting Committee.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred

Senate File No. 180, a bill for an act to amend Chapter Ninety-eight (98), acts of the Thirty-first General Assembly, relative to the registration and publication of pedigrees, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JAS. E. BRUCE,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 345, a bill for an act to amend Section Twenty-five Hundred and Thirty-three (2533) of the Code, relating to the deputies of the State Veterinary Surgeon, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JAS. E. BRUCE,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 398, a bill for an act to prohibit the service of certain male animals for breeding purposes within six hundred (600) feet of a public school building during terms of school, etc., beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JAS. E. BRUCE,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 60, 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 of Iowa, relative to the establishment of levees, drains, ditches and watercourses, and providing for the employment of counsel by the Board of Supervisors and for the defense of appeals, etc., beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JAS. E. BRUCE,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Bruce, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 72, a bill for an act to amend Section Sixteen Hundred and Sixty-one (1661) of the Supplement to the Code, relative to State aid to district or county agricultural societies, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JAS. E. BRUCE,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Newberry, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 211, a bill for an act to repeal Section Twenty-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, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BYRON W. NEWBERRY,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Newberry, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred House File No. 125, a bill for an act to repeal Section Twenty-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, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BYRON W. NEWBERRY,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Newberry, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 233, a bill for an act to amend the law as it appears

in Section Fifty-seven Hundred and Two-a (5702-a) of the Supplement to the Code, relating to the manufacture of pearl buttons or butter tubs in the penitentiaries of the State, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BYRON W. NEWBERRY,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Bleakly, 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. 231, a bill for an act to repeal Section Forty-six Hundred (4600) of the Code, relative to the accounting for fees, and compensation of justices of the peace and constables, and to enact in lieu thereof the following, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend Section Two (2) of the bill by striking out the word "twenty" in the second line thereof and inserting in lieu thereof the words "twenty-eight."

Amend Section Two (2) by striking out the word "twenty" in the fifth line thereof and inserting in lieu thereof the words "twenty-eight."

Amend Section Two (2) by striking out the word "twenty" in the seventh line thereof and inserting in lieu thereof the words "twenty-eight."

Amend Section Two (2) by striking out the word "twenty" in the thirteenth line thereof and inserting in lieu thereof the words "twenty-eight."

Amend Section Two (2) by striking out the word "thirty" in the seventeenth line thereof and inserting in lieu thereof the words "thirty-five."

Amend Section Two (2) by striking out the word "twenty" in the nineteenth line thereof and inserting in lieu thereof the words "twenty-eight," and by striking out the word "thirty" in said line nineteen and inserting in lieu thereof the words "thirty-five."

And when so amended the bill do pass.

JOHN L. BLEAKLY,
Chairman.

Adopted.

Referred to Sifting Committee.

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. 356, a bill for an act to punish burglary with explosives.

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. 266, a bill for an act to repeal Section Twenty-five Hundred and Seventy-eight (2578) of the Code, and to enact a substitute therefor, relating to the revocation of physicians' certificates.

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. 141, a bill for an act to amend Section Twenty-four Hundred and Eighty-three (2483) 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 concurred in Senate amendments to House concurrent resolution relating to the publishing of report of the Southern Battlefields 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 House was asked:

Senate File No. 109, a bill for an act to amend the law as it appears in Chapter One (1), Title Nine (9) of the Code of 1897, relating to corporations for pecuniary profit.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has receded from its amendments as recommended by the conference committee and adopted conference committee report and amendments to Senate File No. 30, a bill for an act to revise the law relating to 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 herewith.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed Senate File No. 288, a bill for an act to amend Chapter One Hundred and Fifty-two (152) of the acts of the Thirty-first General Assembly, relating to limitations for the commencement of actions, and relating to real property, additional to Chapter Two (2), Title Eighteen (18) of the Code.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

House File No. 379, a bill for an act to prohibit common carriers of passengers from issuing, furnishing or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act; also for annual reports and for the repeal of Chapter 90, laws of the Thirty-first General Assembly, was taken up and considered.

On motion to reconsider the vote by which House File No. 379 passed the Senate, filed by Senator Saunders, a roll call was demanded.

On the question, "Shall the vote be reconsidered?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dunham, Eckles, Elerick, Ericson, Frudden, Gale, Gilliland, Hopkins, Hughes, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Lambert, McManus, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Dowell, Foley, Jackson, Kinne, McKlveen, Maytag, Smith of Mitchell, Stookey, Stuekslager—9.

So the motion to reconsider prevailed.

Senator Warren moved that the rules be suspended for the bill passed to its third reading.

Carried:

Senator Saunders moved to reconsider the vote by which the substitute amendment to Section Five (5) of the bill was adopted.

Carried:

By consent the substitute amendment to Section Five (5) was withdrawn.

Senator Saunders moved the adoption of the following amendment:

Amend Section Five (5) by striking out the entire section and inserting the following in lieu thereof:

SUBSTITUTE FOR SECTION FIVE.

SEC. 5. Every common carrier of passengers within the provision of this act shall, on or before the first day of February of each year file with the Executive Council of the State of Iowa a sworn statement showing the names of all persons to whom during the preceding calendar year it issued, furnished or gave a free ticket, free pass, free transportation or a discriminating reduced rate within this State, except wage-workers of common carriers in their ordinary employment and the families of such wage earners, and disclosing such further information as will enable the council to determine whether the person to whom it was issued was within the exception of this act.

Adopted.

Senator Saunders moved to reconsider the vote by which the amendments to subdivision (a) of Section Two (2) were adopted.

Carried:

By consent, the amendments offered to subdivision (a) of Section Two (2) were withdrawn:

Senator Saunders moved the adoption of the following amendment to subdivision (a) of Section Two (2):

That Section Two (2) of House File No. 379 be amended by striking out all the words between Subdivision (a) and Subdivision (b), and inserting in lieu thereof the following: "The officers, agents, employes, attorneys, physicians and surgeons of such common carriers of passengers whose chief and principal occupation is to render service to common carriers of passengers, and the families of such officers, agents, employes, attorneys, physicians and surgeons; local attorneys, not ex-

ceeding one attorney or firm of attorneys in each county of the State, except in counties where sessions of the District Court are held in two or more cities or towns, or counties in which a Superior Court is held in a city other than a county seat, and in counties where the common carrier operates two or more lines, two attorneys or firms of attorneys, local physicians or surgeons not exceeding two in each county of the State, and not to exceed one eye specialist for each railroad division, and not to exceed one sanitarian in the State, whose time need not be solely devoted to the service of the common carrier of passengers; provided no person shall be held to be a physician, surgeon, attorney, agent or employe for such common carrier, unless he is in good faith employed to render the necessary services within a legitimate scope of his profession or employment; the State Fish and Game Warden and his car, and the necessary assistants therewith, when engaged in the performance of official duties; and in any prosecution under this act, if it is claimed that free ticket, free pass or other transportation was wrongfully issued or given to physician, surgeon, attorney, agent or employe, it shall be incumbent upon the defendant to prove the character of the professional services rendered or to be rendered.

Adopted.

Senator Saunders moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, De-Armand, DeWolf, Dowell, Dunham, Elerick, Ericson, Foley, Frud-den, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Lambert, McManus, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—37.

The nays were:

None.

Absent or not voting:

Senators Eckles, Gale, Gilliland, Jamieson of Page, Kinne, McKlveen, Maytag, Stirton, Stookey, Stueckslager, Taylor, Wade, Whiting—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Warren moved that the rules be suspended for the purpose of reconsidering the vote by which House File No. 212 was lost.

On the motion of the suspension of the rules a roll call was demanded.

On the question, "Shall the rules be suspended?"

The yeas were:

Senators Allen, Crossley, Dowell, Ericson, Hughes, Jones, Kimmel, Moon, Warren, Wilson of Fayette, Wilson of Clinton, Young—12.

The nays were:

Senators Bleakly, Burgess, DeArmand, Dunham, Eckles, Elerick, Foley, Gale, Hopkins, Jackson, Jamison of Clarke, Lambert, Mattes, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Turner, Whipple—23.

Absent or not voting:

Senators Bruce, Clark, DeWolf, Frudden, Gilliland, Jamieson of Page, Kinne, McKlveen, McManus, Maytag, Stookey, Stuckslager, Taylor, Wade, Whiting—15.

So the motion was lost.

Senate File No. 277, a bill for an act to provide for a uniform system of books, blanks, records, vouchers, etc., for use of County Auditors, County Treasurers and Clerks of the District Court, was taken up and considered.

Senator Saunders moved that the Senate concur in the following House amendment:

Amend the title by adding the word "receipts" after the word "vouchers."

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Allen, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Lambert, McManus, Mattes, Moon, Newberry, Nichols,

Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators Bleakly, Dowell, Jamieson of Page, Kinne, McKlveen, Maytag, Stuckslager, Wade—8.

So the House amendment was concurred in.

Senate File No. 271, a bill for an act to repeal Chapter 140, laws of the Thirty-first General Assembly, relative to bonds of school corporations, and enacting a substitute therefor, was taken up and considered.

Senator DeArmand moved that the Senate concur in the following House amendment:

Strike out the publication clause, Section Six (6).

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Lambert, McManus, Mattes, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—39.

The nays were:

None.

Absent or not voting:

Senators Allen, Bleakly, DeWolf, Jamieson of Page, Kinne, McKlveen, Maytag, Saunders, Stuckslager, Wade, Warren—11.

So the House amendment was concurred in.

Senate File No. 305, a bill for an act to amend Section Twenty-one Hundred and Sixteen (2116) of the Code, relating to the duty of railroads, was taken up and considered.

Senator Whiting moved that the Senate concur in the following House amendment:

Amend the enacting clause by inserting before the word "Iowa" the words "the State of."

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Allen, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Lambert, McManus, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Bleakly, Frudden, Kinne, McKlveen, Maytag, Stucklager, Turner, Wade, Whipple—9.

So the amendment was concurred in.

Senate File No. 355, a bill for an act authorizing the State Board of Control of the State of Iowa to grant the right of way for an interurban or other railway over and across the lands of the Iowa State Hospital for the Insane at Mount Pleasant, Henry county, State of Iowa, and to fix terms and conditions therefor, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Seeley moved the adoption of the following committee amendment:

That the bill be amended by adding the following as Section Three (3):

SEC. 3. No contract for such right of way shall be made by the Board of Control unless it shall provide that such railway shall construct and maintain at Mt. Pleasant, Iowa, a connecting switch with all lines of railway running through said city.

Adopted.

The bill as amended was read for information.

Senator Seeley moved that the rule be suspended, the bill to be considered engrossed, and the reading just had to be considered its third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Erieson, Foley, Frud-den, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, McManus, Mattes, Moon Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Whiting, Wilson of Fayette, Wilson of Clinton, Young—37.

The nays were:

None.

Absent or not voting:

Senators Bleakly, Jamison of Clarke, Kinne, Lambert, McKlveen, Maytag, Newberry, Nichols, Stuckslager, Turner, Wade, Warren, Whipple—13.

So the bill having received a constitutional majority was de-clared to have passed the Senate and its title agreed to.

HOUSE MESSAGES CONSIDERED.

House recessed from its amendments as recommended by the conference committee and adopted conference committee report and amendments to Senate File No. 30, a bill for an act to revise the law relating to 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 herewith.

Passed on file.

House indefinitely postponed Senate File No. 288, a bill for an act to amend Chapter One Hundred and Fifty-two (152) of the acts of the Thirty-first General Assembly, relating to limitations for

the commencement of actions, and relating to real property (additional to Chapter Two (2), Title Eighteen (18) of the Code).

Passed on file.

Senate File No. 109, a bill for an act to amend the law as it appears in Chapter One (1), Title Nine (9) of the Code of 1897, relating to corporations for pecuniary profit.

Passed on file.

House concurred in Senate amendments to House concurrent resolution, relating to the publishing of the report of the Southern Battlefields Commission.

Passed on file.

House concurred in Senate amendments to House File No. 141, a bill for an act to amend Section Twenty-four Hundred and Eighty-three (2483) of the Supplement to the Code.

Passed on file.

House concurred in Senate amendments to House File No. 266, a bill for an act to repeal Section Twenty-five Hundred and Seventy-eight (2578) of the Code, and to enact a substitute therefor, relating to the revocation of physicians' certificates.

Passed on file.

House concurred in Senate amendments to House File No. 356, a bill for an act to punish burglary with explosives.

Passed on file.

Senator Turner was called to the chair at 10:25 o'clock.

REPORTS OF COMMITTEE.

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. 331, a bill for an act to require the County Attorneys to enforce the liquor laws, and providing for his removal in case he refuses or neglects such duty, beg leave to report they have had the same under consideration and report the same without recommendation.

GEO. W. DUNHAM,
Chairman.

Referred to Sifting Committee.

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. 342, a bill for an act amendatory of and additional to Title V (5), Chapter Four (4) of the Code, relating to the power of cities and towns and cities under special charter to regulate, or suppress, restrain and prohibit the handling and use of intoxicating liquors on the streets, alleys, railway and depot grounds and other public places or grounds, or on or in any private premises without the consent of the owner, etc., beg leave to report they have had the same under consideration and report the same without recommendation.

GEO. W. DUNHAM,
Chairman.

Referred to Sifting Committee.

Senator Smith of Mitchell moved that Senate File No. 350 be referred to the Committee on Appropriations.

Carried.

THIRD READING OF BILLS.

Senate File No. 354, a bill for an act defining, regulating and conferring rights and powers upon automobile railways (additional to Chapter Four (4), Title Ten (10) of the Code), was taken up, considered, and the report of the committee, with substitute as amended, adopted.

Senator Smith of Mitchell moved that House File No. 435 be recalled from the Committee on Railroads.

Carried.

Senator Allen moved that House File No. 435 be substituted for Senate File No. 354.

Carried.

The bill was read for information.

Senator Allen moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, De-

Armand, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Lambert, Mattes, Maytag, Moon, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—39.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Dunham, Hopkins, Jackson, Kinne, McKlveen, McManus, Nichols, Saunders, Stookey, Wade—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

House File No. 429, a bill for an act for the relief of the grantees of James Seby Parsons and for the purpose of having a patent issued in the name of Cornelis De Geest 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 the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Jamison of Clarke, Kinne, McKlveen, McManus—5.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senate File No. 356, a bill for an act to legalize the annexation of certain territory to the city of Centerville, Appanoose county, Iowa, and the election of officers by said city as enlarged, was taken up and considered.

Senator Taylor moved that House File No. 473 be substituted for Senate File No. 356.

Carried.

The bill was read for information.

Senator Taylor moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce Burgess, DeArmand, DeWolf, Dowell, Dunham, Eekles, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stueckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators Clark, Crossley, Elerick, Jones, Kinne, McKlveen, McManus, Wade—8.

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 regulate the soliciting and using of proxies by insurance companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Jamison of Clarke moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—47.

The nays were:

None.

Absent or not voting:

Senators DeArmand, Kinne, McKlveen—3.

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 Maytag, from the Committee on Appropriations, Senate File No. 366, a bill for an act to authorize and empower the Executive Council to redecorate and refinish the Senate chamber at the Capitol building, together with the Lieutenant Governor's rooms and committee and cloak rooms connected therewith, and to make an appropriation therefor.

Read first and second time and passed on file.

By Senator Maytag, from the Committee on Appropriations, Senate File No. 367, a bill for an act authorizing the Executive Council to install an additional boiler and additional equipment in the power and storage house, and to erect an additional storage house, and to make appropriations therefor.

Read first and second time and passed on file.

Senator Maytag moved that Senate Files No. 366 and 367 be printed in the Journal.

SENATE FILE NO. 366.

A BILL for an act to authorize and empower the Executive Council to redecorate and refinish the Senate chamber at the Capitol building, together with the Lieutenant Governor's rooms and committee and cloak rooms connected therewith, and to make an appropriation therefor.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. The Executive Council is hereby authorized and empowered to redecorate and refinish the Senate chamber at the Capitol building, the Lieutenant Governor's rooms and committee rooms to the south of the Senate chamber, together with the Senate cloak room.

SEC. 2. There is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of Twelve Thousand Dollars (\$12,000.00), or so much thereof as may be necessary for the purpose of carrying into effect the provisions of this act.

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 Capital, newspapers published in Des Moines, Iowa.

SENATE FILE NO. 367.

A BILL for an act authorizing the Executive Council to install an additional boiler and additional equipment in the power and storage house, and to erect an additional storage house, and to make appropriation therefor.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. The Executive Council is authorized and empowered to equip the power and storage house on the lot north of the Capitol building with a new boiler for the Capitol power and heating plant, and steel cases and fixtures for the storage of documents where blank paper is now stored, and is authorized to expend for said boiler and equipments not to exceed Twelve Thousand Dollars (\$12,000.00).

SEC. 2. Said Executive Council is further authorized and empowered to erect upon the lot north of the Capitol building and directly north of the present power and storage house, an additional storage building at an expense not to exceed the sum of Ten Thousand Dollars (\$10,000.00).

SEC. 3. There is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of Twenty-two Thousand Dollars (\$22,000.00), or so much thereof as may be necessary for the purposes set forth in this act.

SEC. 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 Capital, newspapers published in Des Moines, Iowa.

REPORTS OF COMMITTEE.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 338, a bill for an act to amend Chapter One Hundred and Twenty (120), laws of the Thirty-first General Assembly, relating to the State sanatorium at Iowa City; further defining the duties of the Board of Control regarding tuberculosis, and making additional appropriations, beg leave to report that they have had the same under consideration and recommend that the same do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 182, a bill for an act providing for the inside finishing and completion of the historical, memorial and art building, and making an appropriation therefor, beg leave to report that they have had the same under consideration and recommend that the same be amended by the adoption of the following substitute, and when so amended the bill do pass:

SUBSTITUTE FOR SENATE FILE NO. 182.

A BILL for an act providing for the inside finishing and completion of the historical, memorial and art building, and making an appropriation therefor.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. The Executive Council is hereby authorized, empowered and directed to proceed with the inside finishing and completion of the historical, memorial and art building, including heating, plumbing and ventilation, also electric light fixtures, freight elevators, painting balance woodwork and wall and ceiling decorations, granite curbing, steps and cement walks, grading and seeding grounds, in accordance with the specifications of the architect, also to purchase such furniture as shall be needed in said building. For these purposes there is hereby appropriated the sum of Forty Thousand Dollars (\$40,000.00), to be paid out of any money in the State treasury not otherwise appropriated.

SEC. 2. The Executive Council shall proceed to let the necessary contracts to the lowest responsible bidder (reserving the right to accept or reject any or all bids), who shall execute such bonds as the Executive Council may deem necessary for the faithful performance of said work. All payments shall be approved by the Executive Council.

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 Capital, newspapers published at Des Moines, Iowa.

Substitute was read first and second time and passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 457, a bill for an act to create a commission to examine the subject of taxation for State and local purposes, providing for their appointment, powers and the report of their findings and recommendations, and making an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 79, a bill for an act providing for the compilation of a roster of Iowa soldiers, sailors and marines 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, providing the manner of its publication, distribution and sale, and making an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 242, a bill for an act to create a commission to examine, revise and codify the laws relating to the public schools, and such other purposes as may be incident thereto, beg leave to report they have had the same under consideration and recommend the same do pass.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

House File No. 341, a bill for an act to repeal Section Seventeen Hundred and Seventy-four (1774) of the Code, relating to valuation of policies of life insurance companies, and to enact a substitute therefor, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Jamison of Clarke moved the adoption of the following committee amendment:

Insert before the word "he" in line sixteen the words "After July 1, 1910," so that the sentence when amended will read: "After July 1, 1910, he shall use the mean method of valuation of policies and may value policies in groups."

Adopted.

The bill as amended was read for information.

Senator Jamison of Clarke moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Burgess, Clark, Crossley, Dowell, Dunham, Eckles, Elerick, Erierson, Frudden, Gale, Gilliland, Hughes, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

None.

Absent or not voting:

Senators Allen, Bruce, DeArmand, DeWolf, Foley, Hopkins, Jackson, Kinne, McKlveen, Stirton—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senate File No. 242, a bill for an act to create a commission to

examine, revise and codify the laws relating to the public schools, and such other purposes as may be incident thereto, with report of committee recommending passage, was taken up, considered, and the report of the Committee on Appropriations adopted.

Senator Crossley moved the adoption of the following amendments recommended by the Committee on Schools:

Amend Section One (1) by striking out the word "five" in line two and inserting in lieu thereof the word "three;" by striking out the word "two" in line two and inserting in lieu thereof the word "one;" by inserting after the word "be" in said line two the word "an;" by striking out the letter "s" at the end of the word "educators" in line two; by striking out the words "who shall be appointed by the Superintendent of Public Instruction" in lines three and four; by striking out the word "three" in line four and inserting in lieu thereof the word "two," and by inserting before the word "practicing" in said fourth line the words "of whom shall be."

Adopted.

Senator Crossley moved the adoption of the following amendments recommended by the Committee on Schools:

Amend Section Seven (7) by striking out the words and figures "six thousand (6,000)" in line two and inserting in lieu thereof the words and figures "three thousand (3,000)," and by inserting between the word "dollars" and the word "is" in the third line the words "or so much thereof as is necessary."

Adopted.

Senator Crossley moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette—40.

The nays were:

None.

Absent or not voting:

Senators Bruce, DeArmand, DeWolf, Jackson, Kinne, Lambert, McKlveen, Taylor, Wilson of Clinton, Young—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

REPORTS OF COMMITTEE.

Senator Stookey, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred House File No. 455, a bill for an act to amend Chapter Eighty (80) of the acts of the Thirtieth General Assembly, relating to State hospitals for inebriates, and to furnish additional provision in regard to commitments to and release from such hospitals, beg leave to report they have had the same under consideration and recommend the same do pass.

MARION F. STOOKEY,
Chairman.

Referred to Sifting Committee.

Senator Stookey, from the Committee on Charitable Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate File No. 363, a bill for an act to grant officers and other employes at the Hospitals for the Insane at Mt. Pleasant, Independence, Clarinda and Cherokee an annual vacation of fifteen days with pay, beg leave to report they have had the same under consideration and recommend the same do pass.

MARION F. STOOKEY,
Chairman.

Referred to Sifting Committee.

THIRD READING OF BILLS.

House File No. 421, a bill for an act to repeal Section Twenty Hundred and Twenty-six (2026) of the Supplement to the Code, and Chapter Eighty-seven (87) of the acts of the Thirty-first General Assembly, and to enact a substitute therefor, relating to street railways over highways, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Peterson moved the adoption of the following amendments, which were laid over:

Amend Section One (1) of the substitute by striking out the period

following the word "located" in the twenty-ninth line and by inserting in lieu thereof a semicolon and after said semicolon the words "but no such written consent signed by any abutting land owner shall be construed to waive any claim for damages he may have on account of the location and construction of such railway upon and along the highway in front of the premises unless expressly so stated therein, and no such written consent shall have the effect to deprive any other abutting land owner of his right to recover damages therefor."

Amend Section One (1) of the substitute by inserting after the word "road" and before the word "which" in the seventh line the words "beyond the limits of any city or town," and by inserting after the word "highway" and before the word "and" in the twentieth line the words "beyond the limits of any city or town."

Further consideration of the bill was postponed.

The Journal of March 30th was taken up, corrected and approved.

Senator Erierson moved that when the Senate adjourn it be until 1:30 o'clock P.M.

Carried.

The Journal of April 1st was taken up, corrected and approved.

Senator Hughes moved that the Senate do now adjourn.

Carried.

Senate adjourned until 1:30 o'clock P.M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P. M., President Garst presiding.

Senator Smith of Mitchell moved that House File No. 353 be referred to Committee on Appropriations.

Carried.

INTRODUCTION OF BILLS.

By Senator McManus Senate File No. 368, a bill for an act to amend the law as it appears in Section One Thousand Four Hundred and Seven of the Code of Iowa of 1897 by changing the percentage to be allowed collectors appointed by County Treasurers for their services and expenses.

Read first and second time and referred to Sifting Committee.

THIRD READING OF BILLS.

House File No. 455, a bill for an act to amend Chapter Eighty (80) of the acts of the Thirtieth General Assembly, relating to State Hospitals for Inebriates and to furnish additional provision in regard to commitments to and release from such hospitals, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Maytag moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Frudden, Gilliland, Hopkins, Hughes, Jamieson of Page, Kimmel, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—34.

The nays were:

None.

Absent or not voting:

Senators Burgess, Dunham, Ericson, Foley, Gale, Jackson, Jamison of Clarke Jones, Kinne, McKlveen, McManus, Saunders, Stookey, Stuckslager, Taylor, Young—16.

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. 30.

House File No. 252, a bill for an act to repeal Section Two Thousand Eight Hundred and Fourteen (2814) of the Code, and enact a substitute therefor, relative to the acquisitions of school sites, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stirton moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question. "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, De-Armand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frud-den, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Senators Dunham, Gale, Gilliland, Jamison of Clarke, Kinne, McKlveen, Saunders, Taylor, Wade, Young—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 indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate File No. 15, a bill for an act to establish an insurance department and providing for an insurance commissioner.

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 the following bill, in which the concurrence of the House was asked:

House File No. 49, 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.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has receded from its amendment to substitute for Senate File No. 201, in which the Senate refused to concur:

Substitute for Senate File No. 201, a bill for an act to repeal the law as it appears in Section Thirteen Hundred and Forty-seven-a (1347-a) of the Supplement to the Code and Chapter Forty-eight (48), acts of the Thirtieth General Assembly, relating to the vocation of peddlers, defining the term peddlers, so as to include transient merchants and vendors selling by sample or by taking orders for immediate or future delivery, 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 House was asked:

Substitute for Senate File No. 230, a bill for an act to require a stamp or label on every ball of binder twine sold, exposed or offered for sale within this State and providing a penalty 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 House was asked:

Substitute for Senate File No. 239, a bill for an act amending Section Thirteen Hundred and Thirty-three (1333) of the Code Supplement, in relation to taxes paid by insurance companies other than those organized under 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:

Substitute for Senate File No. 31, a bill for an act to prevent the adulteration, misbranding and imitation of drugs; and repealing Sections Forty-nine Hundred and Eighty-three (4983), Forty-nine Hundred and Eighty-five (4985), Forty-nine Hundred and Eighty-six (4986) and Forty-nine Hundred and Eighty-eight (4988) of the Code, and vesting the execution and enforcement of this act in the Pharmacy 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. 407, a bill for an act repealing Section Twenty-eight Hundred and Eighty-one (2881) of the Code and Section Twenty-eight Hundred and Eighty-one-f (2881-f) of the Supplement to the Code and Section Six (6) of Chapter One Hundred and Fourteen (114) of the acts of the Twenty-eighth General Assembly, relating to employes in the State Library, fixing their salaries and providing for their bonds, and enacting a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

Senator Hopkins moved that House Files No. 469 and 479 be withdrawn from the Committee on Railroads and referred to the Sifting Committee.

Carried.

THIRD READING OF BILLS.

Substitute for Senate File No. 42, a bill for an act relating to the capital stock of insurance companies, providing the conditions under which such companies shall operate upon the stock plan, prohibiting the advertising of an authorized capital, and providing penalties for the violation hereof, was taken up and considered.

Senator Warren moved that the Senate concur in the following House amendments:

Strike out all of Section Two (2) of substitute for Senate File No. 42 and insert the following Section Two (2) in lieu thereof:

SEC. 2. The certificate of authority of any company heretofore organized and transacting business on the stock plan shall not be renewed after January 1, 1910, unless said company shall have, at said time, at least One Hundred Thousand Dollars (\$100,000.00) of capital stock, at least Fifty Thousand Dollars (\$50,000.00) of which shall be paid up in cash and invested according to law. Remainder of said capital may be represented by stock notes payable to the company on demand of its board of directors, and said notes shall be deposited with the Auditor of State, subject to his approval. But no increase of the capital stock of any company shall hereafter be made unless the amount of said increase is paid up in cash.

Also add to Section Three (3) "or represented by stock notes."

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Senators Bruce, Burgess, Dunham, Gale, Hopkins, Jones, Kinne, McKlveen, Saunders, Stuckslager, Turner, Wade, Young—13.

So the amendments were concurred in.

House File No. 470, a bill for an act to legalize the incorporation of the town of Prairieburg, Linn 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.

The bill was read for information.

Senator Stuckslager moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—39.

The nays were:

None.

Absent or not voting :

Senators Burgess, Dunham, Gale, Hopkins, Kinne, Lambert, McKlveen, Saunders, Turner, Wade, 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. 462, a bill for an act to release and convey to Mary A. T. Sanders all right, title and interest of the State of Iowa in or to the following described real estate, to wit: A strip of land situated in west end of lot three (3), in section three (3), township seventy-nine (79) north, range six (6) west of the fifth P. M., in Johnson county, Iowa, and lying between the public highway known as the "Foster road" and the bank of the Iowa river, and extending north 150 feet from the east end of the Terrill dam situated between lots three (3) and six (6) in said section three (3), and south 150 feet from said dam, was taken up and considered.

The bill was read for information.

Senator Hughes moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were :

Senators Allen, Bleakly, Bruce, Clark, DeArmand, Dowell, Eckles, Elerick, Erierson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—36.

The nays were :

None.

Absent or not voting :

Senators Burgess, Crossley, DeWolf, Dunham, Gale, Jamison of Clarke, Kinne, McKlveen, Nichols, Saunders, Stuckslager, Turner, Wade, Warren—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

House File No. 464, a bill for an act to legalize the plat and dedication of the college addition (commonly known as First College addition), the Second College addition, Lathrop's addition and Johnston's addition to the incorporated town of Humboldt (formerly Springvale), Humboldt county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Allen moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, DeArmand, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Lambert, McManus, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Whipple, Wilson of Fayette, Wilson of Clinton, Young—36.

The nays were:

None.

Absent or not voting:

Senators Burgess, Crossley, DeWolf, Dunham, Gale, Jamison of Clarke, Kinne, McKlveen, Mattes, Maytag, Saunders, Wade, Warren, Whiting—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

House File No. 444, a bill for an act to legalize the acts done and the ordinances passed by the town council of Dexter, Dallas county, Iowa, with report of committee recommending passage, was taken up, and considered, and the report of the committee adopted.

The bill was read for information.

Senator Hopkins moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Lambert, McManus, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Stirton, Stookey, Taylor, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—37.

The nays were:

None.

Absent or not voting:

Senators Burgess, DeWolf, Kimmel, Kinne, McKlveen, Mattes, Maytag, Saunders, Smith of Mitchell, Stuckslager, Turner, Wade, Warren—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

House File No. 463, a bill for an act to amend Section Three Thousand Five Hundred and Forty (3540) of the Code, relating to the publication of original notices in actions against unknown defendants, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Dunham moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jones, Kimmel, Moon, Newberry, Nichols, Peterson, Smith of Des Moines, Smith of Mitchell,

Stirton, Stookey, Taylor, Turner, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—34.

The nays were:

None.

Absent or not voting:

Senators Burgess, Gale, Hopkins, Jamieson of Page, Jamison of Clarke, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Saunders, Seeley, Stuckslager, Wade, Warren—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

House File No. 414, a bill for an act to repeal Section Two Thousand Nine Hundred and Thirty-five (2935) of the Code, and to enact a substitute therefor, relating to indexes to be kept by County Recorders, 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 the reading just had be considered its third reading.

Carried.

On the question. "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—38.

The nays were:

None.

Absent or not voting:

Senators DeArmand, Gale, Jamison of Clarke, Jones, Kimmel, Kinne, McKlveen, McManus, Saunders, Smith of Mitchell, Turner, Warren—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senate File No. 278, a bill for an act to authorize the construction of a lock canal between Spirit Lake and East Okoboji Lake, in Dickinson county, Iowa, was taken up and considered.

Senator Smith of Mitchell moved that the Senate concur in the following House amendment: Add to Section Two (2) the words "without expense to the State."

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Allen, Bleakly, Burgess, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Lambert, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—37.

The nays were:

None.

Absent or not voting:

Senators Bruce, Clark, DeArmand, Gale, Gilliland, Jamison of Clarke, Kimmel, Kinne, McKlveen, McManus, Seeley, Turner, Warren—13.

So the amendment was concurred in.

Senate File No. 322, a bill for an act to amend Section Two Thousand Two Hundred and Seventy (2270) of the Code, relating to settlement of insane patients, 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, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, Dwell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Lambert, Mattes, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Young—38.

The nays were:

None.

Absent or not voting:

Senators DeArmand, DeWolf, Gale, Hopkins, Kimmel, Kinne, McKlveen, McManus, Maytag, Saunders, Warren, Wilson of Clinton—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senate Files No. 33 and 178 were returned to the Senate by the Committee on Pharmacy and referred to the Sifting Committee.

Senator Wilson of Fayette moved that House File No. 433 be recalled from the Committee on Elections and referred to Sifting Committee.

Carried.

House File No. 14, a bill for an act to prohibit the corrupt influencing of agents, representatives, employes, officers of a private corporation, or public officers acting in behalf of a principal in any business transaction, and provide a penalty therefor, 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 the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Lambert, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Whipple, Whiting, Wilson of Fayette, Young—38.

The nays were:

None.

Absent or not voting:

Senators DeArmand, DeWolf, Dowell, Jones, Kinne, McKlveen, McManus, Mattes, Maytag, Wade, Warren, Wilson of Clinton—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Seeley filed the following motion:

I move to reconsider the vote by which Senate File No. 355 passed the Senate April 2, 1907; also the vote by which said bill passed to its third reading.

W. B. SEELEY.

House File No. 385, a bill for an act to amend Section Two Thousand and Twenty-two (2022) of the Code, relating to cattle guards at private crossings of railways, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dunham moved the adoption of the following amendment:

Amend House File No. 385 by striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. That Section Two Thousand and Twenty-two (2022) of the Code be amended by striking out all of said section after the word "repair" in the third line thereof and inserting in lieu thereof the following: "A sufficient causeway or other adequate means of crossing the same and one cattle guard on each side thereof connected by cross fences to the right of way fence on each side of the right of way, at such reasonable place as may be designated by the owner."

Adopted.

Senator Peterson moved that the rule be suspended and the

bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Lambert, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Young—40.

The nays were:

None.

Absent or not voting:

Senators Bruce, DeArmand, DeWolf, Frudden, Jamison of Clarke, Kinne, McKlveen, McManus, Maytag, Wilson of Clinton—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senate substitute for House File No. 228, a bill for an act to repeal Section Four Thousand Nine Hundred and Ninety-nine-B (4999-B) as it appears in the Supplement to the Code, was taken up and considered.

Senator Hughes moved that the Senate concur in the following House amendments:

Amend substitute amendment for House File No. 228 by striking from the first part of Section One (1) the following words: "That Section Forty-nine Hundred and Ninety-nine-B (4999-B) as it appears in the Supplement to the Code is hereby repealed, and the following enacted in lieu thereof," and by substituting therefor the following: "That the law as it appears in Section Forty-nine Hundred and Ninety-nine-B (4999-B) of the Supplement to the Code be and the same is hereby repealed and the following enacted in lieu thereof."

Amend by striking from Paragraph One (1) all after the comma following the word "completed" in the fourteenth line and changing said comma to a period; and by adding as a new section, to be designated Section Two (2), the following:

"SEC. 2. Any person, firm or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and be punished by a fine of not less than Five Dollars (\$5.00) and not more than Fifty Dollars (\$50.00), or by imprisonment in the county jail not to exceed thirty days."

By consent the motion of Senator Hughes to concur was withdrawn and House File No. 228 was re-referred to the Sifting Committee.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 30, 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.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 30, 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.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 30, 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.

W. B. SEELEY,
Chairman.

Adopted.

Senator Turner moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A.M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, APRIL 3, A. D. 1907.

Senate met in regular session at 9 o'clock A. M., President Garst presiding.

Prayer was offered by the Rev. John C. Orth of Walnut.

PETITIONS AND MEMORIALS.

Senator McKlveen presented petitions of attorneys of Chariton, Iowa, and citizens of Corydon, Iowa, favoring the passage of House File No. 438, relative to length of term of county officials.

Referred to Sifting Committee.

HOUSE MESSAGES CONSIDERED.

House indefinitely postponed Senate File No. 15, a bill for an act to establish an insurance department and providing for an insurance commissioner.

Passed on file.

House refuses to concur in Senate amendments to House File No. 49, 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.

Passed on file.

House receded from its amendments to substitute for Senate File No. 201, a bill for an act to repeal the law as it appears in Section One Thousand Three Hundred and Forty-seven-a (1347-a) of the Supplement to the Code, and Chapter Forty-eight (48), acts of the Thirtieth General Assembly, relating to the vocation of peddlers, defining the term peddlers so as to include transient merchants and vendors selling by sample or by taking

orders for immediate or future delivery, and to enact a substitute therefor.

Passed on file.

Senate File No. 230, a bill for an act to require a stamp or label on every ball of binder twine sold, exposed or offered for sale within this State and providing a penalty for the violation thereof.

Passed on file.

Senate File No. 239, a bill for an act amending Section One Thousand Three Hundred and Thirty-three (1333) of the Code Supplement, in relation to taxes paid by insurance companies other than those organized under the laws of the State of Iowa.

Passed on file.

Senate File No. 31, a bill for an act to prevent the adulteration, misbranding and imitation of drugs; and repealing Sections Four Thousand Nine Hundred and Eighty-three (4983), Four Thousand Nine Hundred and Eighty-five (4985), Four Thousand Nine Hundred and Eighty-six (4986) and Four Thousand Nine Hundred and Eighty-eight (4988) of the Code, and vesting the execution and enforcement of this act in the Pharmacy Commissioners.

Passed on file.

House File No. 407, a bill for an act repealing Section Two Thousand Eight Hundred and Eighty-one (2881) of the Code, and Section Two Thousand Eight Hundred and Eighty-one-f (2881-f) of the Supplement to the Code, and Section Six (6) of Chapter One Hundred and Fourteen (114) of the acts of the Twenty-eighth General Assembly, relating to employes in the State library, fixing their salaries and providing for their bonds, and enacting a substitute therefor.

Read first and second time and referred to Committee on Appropriations.

THIRD READING OF BILLS.

House File No. 421, a bill for an act to repeal Section Two Thousand and Twenty-six (2026) of the Supplement to the Code, and Chapter Eighty-seven (87) of the acts of the Thirty-first

General Assembly, and to enact a substitute therefor, relating to street railways over highways, was taken up and considered.

The first amendment to Section One (1), offered by Senator Peterson, was adopted.

The second amendment to Section One (1), offered by Senator Peterson, was adopted.

Senator Gilliland moved the adoption of the following amendment:

Strike out the words and figures "three fourths (3-4)" and insert in lieu thereof the words and figures "two-thirds (2-3)" in the twenty-seventh line of Section One (1) of the original bill.

Adopted.

Senator Burgess moved that the rule be suspended and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Erieson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whiting, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Senators Bleakly, DeWolf, Gale, Jamieson of Page, Jamison of Clarke, Kinne, McManus, Nichols, Stuckslager, Whipple, Wilson of Fayette, Young—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to

House File No. 479, a bill for an act to authorize and require street railways, and interurban railroads operating street railways, to permit interurban railroads to use their tracks and terminal facilities and to furnish power to interurban railroads in

cities, and providing for fixing the compensation therefor, and authorizing street railways to furnish power to interurban railroads, was taken up and considered.

The bill was read for information.

Senator Saunders moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Lambert, McKlveen, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Warren, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Senators Allen, Bleakly, DeWolf, Gale, Kinne, McManus, Maytag, Stuckslager, Wade, Whipple, Whiting, Wilson of Fayette, Young—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senate File No. 348, a bill for an act to legalize the actions of certain homes for destitute or unfortunate women and orphaned or abandoned children in certain cases, and the amendment of articles of incorporation 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 Jackson moved that the rule be suspended, 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 Burgess, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Lambert, McKlveen, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Warren, Whipple, Wilson of Clinton—31.

The nays were:

None.

Absent or not voting:

Senators Allen Bleakly, Bruce, Clark, DeWolf, Gale, Kinne, McManus, Mattes, Maytag, Moon, Nichols, Saunders, Stuckslager, Turner, Wade, Whiting, Wilson of Fayette, Young—19.

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 amendments to Joint Resolution No. 4, in which the concurrence of the House was asked:

Joint resolution approving estimates of cost, plans and specifications of library building at Cedar Falls, Iowa.

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 the following bill, in which the concurrence of the House was asked:

House File No. 281, a bill for an act to appropriate not to exceed \$7,500 for experiments in animal breeding and feeding.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in and passed Senate substitute amendments to the following bill, in which the concurrence of the House was asked:

House File No. 29, a bill for an act to amend Section Seven (7) of Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly, relating to registration of births and deaths.

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. 196, a bill for an act to regulate the sale or disposal of stocks of goods, wares or merchandise in bulk and to provide a penalty for the violation thereof.

C. R. BENEDICT,
Chief Clerk.

Also :

MR. PRESIDENT—I am directed to inform your honorable body that the House has refused to concur in Senate amendments to the following bill, in which the concurrence of the House was asked:

House File No. 341, a bill for an act to repeal Section One Thousand Seven Hundred and Seventy-Four (1774) of the Code, relating to valuation of policies of life insurance companies, 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 amended and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 81, a bill for an act prohibiting the storage and transportation of powder or other explosives in coal mines while miners or other employes are working therein.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate File No. 361, a bill for an act to authorize and direct boards of supervisors in the State of Iowa in counties adjoining and bordering upon the state of Missouri, directing the said board of supervisors to agree with the supervisors in the adjoining counties in the state of Missouri as to the portion of highways on said state line which should be kept in repair by the authorities in each of the said states, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Taylor moved that the committee substitute be substituted for the original bill.

Carried.

Senator Taylor moved that the rule be suspended, the bill be

considered engrossed, and the reading just had to be considered its third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Lambert, McManus, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Senators Bleakly, DeWolf, Kinne, McKlveen, Maytag, Stucklager, Wade, Wilson of Fayette, Young—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

House File No. 130, a bill for an act to amend Section Three Hundred and Eight (308) of the Supplement to the Code as amended by Chapter Eleven (11), acts of the Thirty-first General Assembly, relating to the compensation of County Attorneys, was taken up, considered, and the report of the committee, with substitute as amended, adopted.

Senators Jones moved that the Senate insist on its amendments to the bill and ask for a conference committee.

Senator Hopkins moved as a substitute for the motion that the Senate recede from its amendments.

A roll call was demanded.

On the question, "Shall the Senate recede from its amendments to House File No. 130?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, De-

Armand, Ericson, Foley, Hopkins, Jackson, Kimmel, Mattes, Seeley, Smith of Mitchell, Stirton, Turner, Whipple, Young—19.

The nays were:

Senators Dowell, Dunham, Elerick, Gilliland, Hughes, Jamison of Clarke, Jones, Lambert, McKlveen, Moon, Newberry, Nichols, Saunders, Stookey, Stuckslager, Wade, Warren, Whiting, Wilson of Clinton—19.

Absent or not voting:

Senators DeWolf, Eckles, Frudden, Gale, Jamieson of Page, Kinne, McManus, Maytag, Peterson, Smith of Des Moines, Taylor, Wilson of Fayette—12.

The President declared the motion lost.

The motion to insist on the Senate amendments prevailed.

House File No. 303, a bill for an act to repeal Sections Three Hundred and Seventy-three (373), Three Hundred and Seventy-four (374), Three Hundred and Seventy-five (375) and Three Hundred and Seventy-six (376) of the Code, in relation to notaries public, and enact substitutes therefor; also to amend Section Sixty-eight (68) of the Code, in relation to the registration of commissions, was taken up and considered.

Senator Saunders moved the adoption of the following amendment:

Amend Section Two (2) of the printed bill by, adding to the ninth line thereof the words "All other bonds shall be approved by the Governor."

Adopted.

The bill was read for information.

Senator Dunham moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Lam-

bert, McKlveen, McManus, Mattes, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Clinton, Young—38.

The nays were:

None.

Absent or not voting:

Senators Bruce, DeWolf, Dowell, Jamison of Clarke, Jones, Kinne, Maytag, Nichols, Smith of Des Moines, Stueckslager, Turner, Wilson of Fayette—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

The President announced as conference committee on House File No. 130: Senators Jones, Hopkins, Wilson of Clinton, and Nichols.

The President announced that he had signed, in the presence of the Senate, Senate Files No. 160, 73, 277, 123, 204, 347, 340, 109, 271, 305, 267, 280.

House File No. 304, a bill for an act to transfer from the Auditor of State to the Treasurer of State all of the powers, duties and responsibilities relating to state and savings banks and loan and trust companies, was taken up and considered.

Senator Dunham moved the adoption of the following amendment:

That House File No. 304 be amended by adding to Section One (1) thereof the following:

“Said banks and loan and trust companies shall, from and after the date above named, report to the Treasurer of State, and shall pay to him all fees or charges and account to and be subject to his supervision, regulation and control to whatever extent and in whatever manner and as fully as they are now controllable by and subject to the Auditor of State.”

Adopted.

The bill as amended was read for information.

Senator Dunham moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question. “Shall the bill pass?”

The yeas were:

Senators Burgess, Clark, Crossley, Dunham, Eckles, Ericson, Jones, Kimmel, Mattes, Maytag, Newberry, Peterson, Smith of Mitchell, Turner, Wilson of Fayette, Young—17.

The nays were:

Senators Allen, Bleakly, Bruce, Dowell, Foley, Hopkins, Hughes, McKlveen, Nichols, Saunders, Seeley, Smith of Des Moines, Stirtton, Stuckslager, Whiting—15.

Absent or not voting:

Senators DeArmand, DeWolf, Elerick, Frudden, Gale, Gilliland, Jackson, Jamieson of Page, Jamison of Clarke, Kinne, Lambert, McManus, Moon, Stookey, Taylor, Wade, Whipple, Wilson of Clinton—18.

So the bill having failed to receive a constitutional majority was declared lost.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 128, a bill for an act to amend Sections Twenty-five Hundred and Twenty-nine (2529) and Twenty-five Hundred and Thirty-four (2534) of the Code and to repeal and enact substitutes for Sections Twenty-five Hundred and Thirty-three (2533) and Twenty-five Hundred and Thirty-eight (2538) thereof, relating to the State Veterinary Surgeon.

Also:

House File No. 141, a bill for an act to amend Section Twenty-four Hundred and Eighty-three (2483) of the Supplement to the Code, relating to salaries of Mine Inspectors.

Also:

House File No. 266, a bill for an act to repeal Section Two Thousand Five Hundred and Seventy-eight (2578) of the Code and to enact a substitute therefor, relating to the revocation of physicians' certificates.

Also:

House File No. 352, a bill for an act to grant officers and guards at the penitentiaries at Anamosa and Fort Madison an annual vacation of fifteen days with pay.

Also:

House File No. 356, a bill for an act to punish burglary where explosives have been used.

Also:

House File No. 358, a bill for an act to amend Section Twenty-seven Hundred Seventy-one (2771) of the Supplement to the Code, relative to the filling of vacancies on the school board.

Also:

House File No. 408, a bill for an act to amend Section Three Hundred Ten (310) of the Supplement to the Code relating to qualification for admission to the bar.

Also:

House File No. 426, a bill for an act to encourage the propagation of Mongolian Ring Neck, English and Chinese pheasants, and to prohibit the killing thereof.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORTS OF COMMITTEES.

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. 335, a bill for an act to prohibit the sale, delivery and shipment of articles of food in unsanitary packages or covering, beg leave to report that they have had the same under consideration and recommend the same for indefinite postponement.

HENRY YOUNG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Young, from the Committee on Public Health, submitted the following report:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred House File No. 173, a bill for an act relating to the powers of local boards of health, amending Section Twenty-five Hundred and Sixty-eight (2568) of the Code, beg leave to report that they have had the same under consideration and recommend that the same do pass.

HENRY YOUNG,
Chairman.

Referred to Sifting Committee.

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. 307, a bill for an act to amend Sections Three (3) and Six (6) of Chapter Eighty-seven (87) of the acts of the Thirtieth General Assembly, in relation to the inspection of petroleum products, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

HENRY YOUNG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 350, a bill for an act to amend the law as it appears in Section One (1), Chapter Eighty-five (85), acts of the Thirtieth General Assembly, relating to salary of Commissioner of Bureau of Labor Statistics and his deputy, beg leave to report that they have had the same under consideration and recommend that the same, as amended by the Committee on Compensation of Public Officers, do pass.

F. L. MAYTAG,
Chairman.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 160, a bill for an act to amend the law as it appears in Section One Hundred and Sixty-eight (168) of the Supplement to the Code, and in Chapter Two (2) of Title Thirteen (13) of the Code and Code Supplement and amendments thereto, and Chapter One Hundred and Twenty-two (122) of the acts of the Thirty-first General Assembly, defining the duties, fixing the compensation and providing for the supplies and printing and providing for the payment of the expenses of the Educational Board of Examiners, its secretary and employes.

Also:

Senate File No. 73, 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.

Also:

Senate File No. 277, a bill for an act to provide a uniform system of books, blanks, records, vouchers, receipts, etc., for the use of County Auditors, County Treasurers, and Clerks of the District Court.

Also:

Senate File No. 123, a bill for an act to amend Section Four Thousand Nine Hundred and Sixty-nine (4969) of the Code, providing for the punishment of cruelty to animals.

Also:

Senate File No. 204, a bill for an act to amend the law as it appears in Section Two Thousand Five Hundred and Ninety-six-a (2596-a) of the Supplement to the Code, in relation to the sale of cocaine, and restricting the sale of certain other drugs.

Also:

Senate File No. 347, a bill for an act granting to cities and towns power to regulate, define, tax, license and prohibit public dance halls, skating rinks, fortune tellers, palmists, and clairvoyants, and to license and regulate the construction of bill-boards, and to tax owners or persons maintaining the same.

Also:

Senate File No. 280, 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, providing penalties for the violation thereof, and repealing Chapter Forty (40), laws of the Thirtieth General Assembly, and Chapters Forty-five (45) and Forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections.

Also:

Senate File No. 340, a bill for an act amending Section Two Thousand and Fifty-one (2051) of the Code, relating to the conditional sale or lease of railroad or street railway equipment or rolling stock, so as to provide for the conditional sale or lease of power-house and electrical equipment of interurban or street railways or of electric light and power companies or of steam heating companies.

Also:

Senate File No. 109, a bill for an act to amend the law as it appears in Chapter One (1), Title Nine (9) of the Code, relating to corporations for pecuniary profit.

Also:

Senate File No. 271, a bill for an act to repeal Chapter One Hundred and Forty (140), laws of the Thirty-first General Assembly, relative to bonds of school corporations, and enacting a substitute therefor.

Also:

Senate File No. 305, a bill for an act to amend Section Two Thousand One Hundred and Sixteen (2116) of the Code, relating to the duty of railroads.

Also:

Senate File No. 267, a bill for an act to permit fraternal beneficiary societies, orders or associations to purchase and own real estate, to erect buildings thereon and to occupy and rent the same.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 160, a bill for an act to amend the law as it appears in Section One Hundred and Sixty-eight (168) of the Supplement to the Code, and in Chapter Two (2) of Title Thirteen (13) of the Code and Code Supplement and amendments thereto, and Chapter One Hundred and Twenty-two (122) of the acts of the Thirty-first General Assembly, defining the duties, fixing the compensation and providing for supplies and printing and providing for the payment of the expenses of the Educational Board of Examiners, its secretary and employes.

Also:

Senate File No. 73, 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.

Also:

Senate File No. 277, a bill for an act to provide a uniform system of books, blanks, records, vouchers, receipts, etc., for the use of County Auditors, County Treasurers, and Clerks of the District Court.

Also:

Senate File No. 123, a bill for an act to amend Section Four Thousand Nine Hundred and Sixty-nine (4969) of the Code, providing for the punishment of cruelty to animals.

Also:

Senate File No. 204, a bill for an act to amend the law as it appears in Section Two Thousand Five Hundred and Ninety-six-a (2596-a) of the Supplement to the Code, in relation to the sale of cocaine, and restricting the sale of certain other drugs.

Also:

Senate File No. 347, a bill for an act granting to cities and towns

power to regulate, define, tax, license and prohibit public dance halls, skating rinks, fortune tellers, palmists, and clairvoyants, and to license and regulate the construction of bill-boards, and to tax owners or persons maintaining the same.

Also:

Senate File No. 280, 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, providing penalties for the violation thereof, and repealing Chapter Forty (40), laws of the Thirtieth General Assembly, and Chapters Forty-five (45) and Forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections.

Also:

Senate File No. 340, a bill for an act amending Section Two Thousand and Fifty-one (2051) of the Code, relating to the conditional sale or lease of railroad or street railway equipment or rolling stock, so as to provide for the conditional sale or lease of power-house and electrical equipment of interurban or street railways or of electric light and power companies or of steam heating companies.

Also:

Senate File No. 109, a bill for an act to amend the law as it appears in Chapter One (1), Title Nine (9) of the Code, relating to corporations for pecuniary profit.

Also:

Senate File No. 271, a bill for an act to repeal Chapter One Hundred and Forty (140), laws of the Thirty-first General Assembly, relative to bonds of school corporations, and enacting a substitute therefor.

Also:

Senate File No. 305, a bill for an act to amend Section Two Thousand One Hundred and Sixteen (2116) of the Code, relating to the duty of railroads.

Also:

Senate File No. 267, a bill for an act to permit fraternal beneficiary societies, orders or associations to purchase and own real estate, to erect buildings thereon and to occupy and rent the same.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 160, a bill for an act to amend the law as it appears in Section One Hundred and Sixty-eight (168) of the Supplement to the Code, and in Chapter Two, (2) of Title Thirteen (13) of the Code and Code Supplement and amendments thereto, and Chapter One Hundred and Twenty-two (122) of the acts of the Thirty-first General Assembly, defining the duties, fixing the compensation and providing for the supplies and printing and providing for the payment and expenses of the Educational Board of Examiners, its secretary and employes.

Also:

Senate File No. 73, 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.

Also:

Senate File No. 277, a bill for an act to provide a uniform system of books, blanks, records, vouchers, receipts, etc., for the use of County Auditors, County Treasurers, and Clerks of the District Court.

Also:

Senate File No. 123, a bill for an act to amend Section Four Thousand Nine Hundred and Sixty-nine (4969) of the Code, providing for the punishment of cruelty to animals.

Also:

Senate File No. 204, a bill for an act to amend the law as it appears in Section Two Thousand Five Hundred and Ninety-six-a (2596-a) of the Supplement to the Code, in relation to the sale of cocaine, and restricting the sale of certain other drugs.

Also:

Senate File No. 347, a bill for an act granting to cities and towns power to regulate, define, tax, license and prohibit public dance halls, skating rinks, fortune tellers, palmists, and clairvoyants, and to license and regulate the construction of bill-boards, and to tax owners or persons maintaining the same.

Also:

Senate File No. 280, 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organizations, providing penalties for the violation thereof, and repealing Chapter Forty (40), laws of the Thirtieth General Assembly, and Chapters Forty-

five (45) and Forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections.

Also:

Senate File No. 340, a bill for an act amending Section Two Thousand and Fifty-one (2051) of the Code relating to the conditional sale or lease of railroad or street railway equipment or rolling stock, so as to provide for the conditional sale or lease of power-house and electrical equipment of interurban or street railways or of electric light and power companies or of steam heating companies.

Also:

Senate File No. 109, a bill for an act to amend the law as it appears in Chapter One (1), Title Nine (9) of the Code, relating to corporations for pecuniary profit.

Also:

Senate File No. 271, a bill for an act to repeal Chapter One Hundred and Fifty-one (2051) of the Code, relating to the conditional sale or lease bonds of school corporations, and enacting a substitute therefor.

Also:

Senate File No. 305, a bill for an act to amend Section Two Thousand One Hundred and Sixteen (2116) of the Code, relating to the duty of railroads.

Also:

Senate File No. 267, a bill for an act to permit fraternal beneficiary societies, orders or associations to purchase and own real estate, to erect buildings thereon and to occupy and rent the same.

W. B. SEELEY,
Chairman.

Adopted.

THIRD READING OF BILLS.

Senate File No. 350, a bill for an act to amend the law as it appears in Section One (1), Chapter Eighty-five (85), acts of the Thirtieth General Assembly, relating to salary of Commissioner of Bureau of Labor Statistics and his deputy, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Jackson moved the adoption of the following committee amendment:

Amend Section One (1) by striking out in the fourth line of the original bill the word "eighteen" and insert the word "sixteen" in lieu thereof, and by striking out the word "fifteen" in the fifth line and inserting the word "fourteen" in lieu thereof.

On the adoption of the committee amendment, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Bleakly, DeArmand, Dunham, Elerick, Foley, Gilliland, Jamison of Clarke, Jones, Kimmel, McKlveen, Nichols, Peterson, Seeley, Smith of Des Moines, Stookey, Stuckslager, Taylor, Wade, Whipple—19.

The nays were:

Senators Allen, Clark, Dowell, Eckles, Ericson, Frudden, Gale, Hopkins, Hughes, Jackson, Jamieson of Page, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Smith of Mitchell, Stirton, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Young—24.

Absent or not voting:

Senators Bruce, Burgess, Crossley, DeWolf, Kinne, Saunders, Whiting—7.

So the amendment was lost.

The bill was read for information.

Senator Jackson moved that the rule be suspended, 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 Allen, Burgess, Clark, DeArmand, Dowell, Ericson, Frudden, Gale, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Smith of Mitchell, Stirton, Turner, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—27.

The nays were:

Senators Bleakly, Dunham, Eckles, Elerick, Foley, Gilliland, Jamison of Clarke, Jones, McKlveen, Nichols, Peterson, Seeley, Whipple—13

Absent or not voting:

Senators Bruce, Crossley, DeWolf, Kinne, Saunders, Smith of Des Moines, Stookey, Stuckslager, Taylor, Wade—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

REPORT OF COMMITTEE.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 353, a bill for an act to amend the law as it appears in Section Eighteen (18) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to repeal Section Twelve (12) of Chapter Seventy-seven (77) of the acts of the Thirtieth General Assembly and Section Fourteen (14) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to enact substitutes therefor, and to provide for stoppage of compensation due officers and men of the Iowa National Guard for loss or damage to property issued to them by the State for military purposes, beg leave to report that they have had the same under consideration and recommend that the same as amended by the Committee on Military do pass.

F. L. MAYTAG,
Chairman.

Adopted.

THIRD READING OF BILLS.

House File No. 353, a bill for an act to amend the law as it appears in Section Eighteen (18) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to repeal Section Twelve (12) of Chapter Seventy-seven (77) of the acts of the Thirtieth General Assembly, and Section Fourteen (14) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to enact substitutes therefor, and to provide for stoppage of compensation due officers and men of the Iowa National Guard for loss or damage to property issued to them by the State for military purposes, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Turner moved the adoption of the following committee amendment:

Amend Section One (1) by striking out the comma after the word "bands" in the sixth line of said section and insert in lieu thereof

the words and figures "the sum of Fifty (\$50.00) Dollars, and for like purposes to each."

Adopted.

Senator Turner moved the adoption of the following committee amendment:

Amend Section One (1) by striking out the words and figures "Twenty-five (\$25.00) Dollars" in the eighth line of said section and insert in lieu thereof the words and figures "Fifty (\$50.00) Dollars."

Adopted.

Senator Turner moved the adoption of the following committee amendment:

Amend Section Two (2) by striking out the words and figures "Two Hundred (\$200.00) Dollars" in the eleventh line of said section and insert in lieu thereof the words and figures "Two Hundred and Fifty (\$250.00) Dollars."

Adopted.

Senator Turner moved the adoption of the following amendment:

Amend Section Two (2) by striking out the words and figures "One Hundred (\$100.00) Dollars" in lines twelve and thirteen of said section and insert in lieu thereof the words and figures "One Hundred and Twenty-five (\$125.00) Dollars."

Adopted.

The bill as amended was read for information.

Senator Turner moved the adoption of the following committee amendment.

Strike out the word "four" in the tenth line of Section Two (2) and insert the word "five" in lieu thereof.

The amendment was lost.

Senator Turner moved that the vote by which the amendment submitted by him was lost be reconsidered.

Carried.

Senator Turner moved the adoption of the following amendment:

Strike out the words and figures "Four Hundred (\$400.00) Dollars" in

the tenth line of Section Two (2) of the original bill and insert in lieu thereof the words and figures "Five Hundred (\$500.00) Dollars."

Adopted.

Senator Turner moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bruce, Clark, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clark, Kimmel, Lambert McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Clinton, Young—36.

The nays were:

None.

Absent or not voting:

Senators Allen, Bleakly, Burgess, DeArmand, DeWolf, Foley, Gale, Jones, Kinne, McManus, Saunders, Stuckslager, Warren, Wilson of Fayette—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, House Files No. 128, 141, 266, 352, 356, 358, 408, 426.

House Files No. 244 and 460 were returned by the committees to the Senate and re-referred to the Sifting Committee.

Senate File No. 355, a bill for an act authorizing the State Board of Control of the State of Iowa to grant the right of way for an interurban or other railway over and across the lands of the Iowa State Hospital for the Insane at Mt. Pleasant, Henry county, State of Iowa, and to fix terms and conditions therefor, was taken up and considered.

The motion to reconsider the vote by which the bill passed the Senate, filed by Senator Seeley, prevailed.

The motion to reconsider the vote by which the bill passed to its third reading prevailed.

Senator Seeley moved the adoption of the following as a substitute for Senate File No. 355.

SUBSTITUTE FOR SENATE FILE NO. 355.

A BILL for an act authorizing any interurban or other railway company to acquire a right of way for an interurban or other railway over and across the lands of the Iowa State Hospital for the Insane at Mount Pleasant, Henry county, Iowa, and authorizing the Executive Council to fix the terms and conditions thereof.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. Any interurban or other railway company is hereby authorized to acquire a right of way over and through the lands of the State used in connection with the Iowa State Hospital for the Insane at Mount Pleasant, Iowa, upon the terms and conditions herein provided.

SEC. 2. The said interurban or other railway company shall furnish to the Executive Council a plat, showing its proposed line of road through said premises, and upon the approval of such location by said Council it shall issue a certificate to that effect, which certificate shall confer upon said railway company the right to acquire the said right of way, as provided in Chapter Four (4), Title Ten (10) of the Code, but no such right of way shall be acquired without the approval of said Council. In the event of approval of location, as aforesaid, the Council is authorized to negotiate for and agree upon the damages sustained by the State by reason of taking said right of way. No such certificate shall issue until the said interurban or other railway company shall have filed with the Executive Council an agreement in writing, binding itself, its successors and assigns, to construct and maintain, without expense to the State of Iowa, a side track, extending to the heating plant of the said Iowa State Hospital for the Insane, as the same now is or may hereafter be located; and said agreement shall also require the said railway company to erect and maintain a station or stations, suitable in character, size, and design, at such place or places on said hospital grounds as the Executive Council may designate.

The poles upon the right of way shall be of iron or steel, ornamental in design and painted, or of such other material as may be required by the Executive Council.

SEC. 3. Upon payment by said company to the State Treasurer the compensation and value fixed by agreement, or by condemnation, as the case may be, and upon filing of the agreements required in Section Two (2) of this act, the Governor of Iowa shall execute and deliver to said company a deed, conveying to said railway company, its successors and assigns, said right of way, but such deed shall not operate to convey the fee title of said right of way.

The substitute was read first and second time.

Senator Seeley moved that the substitute be substituted for the original bill.

Carried.

Senator Seeley moved that the rules by which no bill shall be read a second and third time on the same day be suspended.

Carried.

Senator Seeley moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Bruce, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Frudden, Gilliland, Hopkins, Hughes, Jamieson of Page, Kimmel, Lambert, McKlveen, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette. Young—36.

The nays were:

None.

Absent or not voting:

Senators Allen, Burgess, DeWolf, Foley, Gale, Jackson, Jamison of Clarke, Jones, Kinne, McManus, Moon, Stuckslager, Warren, 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 Stookey moved that when the Senate adjourn it be until 1:30 o'clock P.M.

Carried.

Senate File No. 237, a bill for an act providing for scales and the weighing of commodities transported in earload lots, and furnishing certificates of weight by common carriers, and providing penalties for the violation of this act (in addition to Chapter Seven (7). Title Ten (10) of the Code, was taken up and considered.

Senator Whiting moved that the Senate concur in the following House amendments:

Amend by striking out the word "weihts" in the fifth line of Section Four (4) and insert the word "weights" in lieu thereof.

Amend by striking from line five of Section Seven (7) the words and figures "One Hundred (\$100.00)" and inserting in lieu thereof the words and figures "One Hundred and Twenty-five (\$125.00)."

On the question "Shall the Senate concur in the House amendments?"

The yeas were:

Senators, Bleakly, Bruce, DeArmand, Dowell, Eckles, Elerick, Foley, Hopkins, Hughes, Jamieson of Page, Kimmel, Lambert, Mc-Klveen, Mattes, Maytag, Moon, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—31.

The nays were:

None.

Absent or not voting:

Senators Allen, Burgess, Clark, Crossley, DeWolf, Dunham, Ericson, Frudden, Gale, Gilliland Jackson, Jamieson of Clarke, Jones, Kinne, McManus, Nichols, Saunders, Stuckslager, Warren—19.

So the amendments were concurred in.

The Journal of yesterday was taken up, corrected and approved.

Carried.

Senator Ericson moved that the Senate do now adjourn.

Senate adjourned until 1:30 o'clock P.M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P.M., President Garst presiding.

Senate File No. 295 and House File No. 243 were returned by the Committee on Fish and Game and referred to Sifting Committee.

HOUSE MESSAGES CONSIDERED.

House has concurred in amendments to joint resolution approving estimates of cost, plans and specifications of library building at Cedar Falls, Iowa.

Passed on file.

House has concurred in Senate amendment to House File No. 281, a bill for an act to appropriate not to exceed Seven Thousand Five Hundred Dollars (\$7,500) for experiments in animal breeding and feeding.

Passed on file.

House has concurred and passed Senate substitute for House File No. 29, a bill for an act to amend Section Seven (7) of Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly, relating to registration of births and deaths.

Passed on file.

House has failed to pass Senate File No. 196, a bill for an act to regulate the sale or disposal of stocks of goods, wares or merchandise in bulk, and to provide a penalty for the violation thereof.

Passed on file.

House refuses to concur in Senate amendments to House File No. 341, a bill for an act to repeal Section Seventeen Hundred and Seventy-four of the Code, relating to valuation of policies of life insurance companies, and to enact a substitute therefor.

Passed on file.

House has amended and passed Senate File No. 81, a bill for an act prohibiting the storage and transportation of powder or other explosives in coal mines while miners or other employes are working therein.

Passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Substitute for Senate File No. 235, a bill for an act to protect the

safety of railroad employes by regulating the maintaining and stringing of other wires over railroad tracks.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

House File No. 403, a bill for an act to enlarge the powers and further define the duties of the Board of Railroad Commissioners, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Smith of Mitchell moved the adoption of the following committee amendments:

First. Strike out the words "it is herby," being the first three words of the enacting clause, and insert in lieu thereof the words "be it."

Second. Amend Section Two (2) by inserting the word "commission" after the word "commerce" in the sixth line thereof and by striking out the words "together with an" before the word "appeal" in the sixth line thereof and insert in lieu thereof the word "and," and by striking out the letters "ofr" in the beginning of the seventh line of said section and insert in lieu thereof the word "for."

Adopted.

The bill as amended was read for information.

Senator Jamieson of Page moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Dowell, Dunham, Eckles, Elerick, Ericson, Foley Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Warren, Whiting, Wilson of Fayette, Wilson of Clinton

—36.

The nays were:

None.

Absent or not voting:

Senators Bruce, Crossley, DeArmand, DeWolf, Gale, Jamison of

Clarke, Jones, Kinne, Lambert, McKlveen, Stuckslager, Wade, Whipple, Young—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

House File No. 474, a bill for an act to amend Section Five Thousand and Sixty-two (5062) of the Code, relative to penalty for combinations, pools and trusts, 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 the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Kimmel, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Warren, Whipple, Wilson of Fayette, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Senators Bruce, DeArmand, DeWolf, Foley, Gale, Hopkins, Jamison of Clarke, Jones, Kinne, McKlveen, Stookey, Turner, Wade, Whiting, Young—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

House File No. 287, a bill for an act to amend the law as it appears in Section Sixteen Hundred and Ten (1610) of the Supplement to the Code, in relation to corporations for pecuniary profit, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Allen was called to the chair at 1:55 o'clock.

Senator Warren moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Kimmel, Lambert, McIlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—43.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeWolf, Dunham, Jamison of Clarke, Jones, Kinne, Young—7.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

The hour having arrived for special order, applications for pardons were taken up for consideration.

Senator Smith of Mitchell asked consent that the members of the Sifting Committee be excused during the discussion of the pardon cases until the roll call.

Consent granted.

On motion of Senator Mattes, the Senate took up for consideration the application for parole of Orman McPherson, and the report of the committee was adopted.

The President resumed the chair at 3:15 o'clock.

Senator Mattes moved the adoption of the following committee resolution:

CONCURRENT RESOLUTION AUTHORIZING AND RECOMMENDING THE PAROLE OF
ORMAN M'PHERSON.

Be It Resolved by the Senate of the Thirty-second General Assembly of the State of Iowa, the House concurring, That the Governor be and is

hereby authorized to grant, and we advise and recommend that he grant a parole to Orman McPherson, a convict now confined in the penitentiary at Fort Madison, Iowa, under life sentence from the District Court of Iowa, in and for Louisa county.

Senator Ericson moved the previous question.

Carried.

On the question, "Shall the concurrent resolution be adopted?"

The yeas were:

Senators Bleakly, Bruce, Clark, DeArmand, Eckles, Gilliland, Jamieson of Page, Kimmel, Peterson, Saunders, Stirton, Wade, Warren, Whiting, Wilson of Fayette—15.

The nays were:

Senators Allen, Burgess, Crossley, Dowell, Elerick, Ericson, Foley, Frudden, Gale, Hughes, Jackson, Jamison of Clarke, Jones, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Seeley, Smith of Des Moines, Smith of Mitchell, Stuckslager, Turner, Whipple, Wilson of Clinton—27.

Absent or not voting:

Senators DeWolf, Hopkins, Kinne, McManus, Stookey, Taylor, Young, Dunham—8.

So the concurrent resolution was lost.

On motion of Senator Mattes, the Senate took up for consideration the application for parole of Jasper Mason, and the report of the committee was adopted.

Senator Mattes moved the adoption of the following concurrent resolution.

CONCURRENT RESOLUTION AUTHORIZING AND RECOMMENDING THE PAROLE OF
JASPER MASON.

Be It Resolved by the Senate of the Thirty-second General Assembly of the State of Iowa, the House concurring, That the Governor be and is hereby authorized to grant, and we advise and recommend that he grant a parole to Jasper Mason, now confined in the penitentiary at Anamosa, Iowa, under life sentence from the District Court of Iowa, in and for Dallas county.

On the question, "Shall the concurrent resolution be adopted?"

The yeas were:

Senators Bleakly, Bruce, Clark, DeArmand, Dowell, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hopkins, Jackson, Jamison of Clarke, Kimmel, Lambert, McKlveen, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—35.

The nays were:

Senator Hughes—1.

Absent or not voting:

Senators Allen, Burgess, Crossley, DeWolf, Dunham, Frudden, Jamieson of Page, Jones, Kinne, McManus, Mattes, Seeley, Smith of Mitchell, Young—14.

So the concurrent resolution was adopted.

Senator Crossley moved that the Senate do now adjourn.

Lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following joint resolution, in which the concurrence of the Senate is asked:

House Joint Resolution No. 6, advising and recommending the conditional pardon of Jasper Mason.

C. R. BENEDICT,
Chief Clerk.

On motion of Senator Mattes, the Senate took up for consideration the application for parole of Betsey Smith, and the report of the committee was adopted.

Senator Mattes moved the adoption of the following concurrent resolution:

CONCURRENT RESOLUTION AUTHORIZING AND RECOMMENDING THE PAROLE OF
BETSEY SMITH.

Be It Resolved by the Senate of the Thirty-second General Assembly of the State of Iowa, the House concurring, That the Governor be and is hereby authorized to grant, and we advise and recommend that he grant a parole to Betsey Smith, a convict now confined in the penitentiary at Anamosa, Iowa, under life sentence from the District Court of Iowa, in and for Polk county.

On the question, "Shall the concurrent resolution be adopted?"

The yeas were:

Senators Bleakly, Burgess, DeArmand, Foley, Gale, Maytag, Peterson, Stirton, Stuckslager, Wade, Whipple, Whiting—13.

The nays were:

Senators Allen, Bruce, Clark, Crossley, Dowell, Eckles, Elerick, Ericson, Frudden, Gilliland, Hughes, Jackson, Jamison of Clarke, Jones, Kinne, Lambert, McKlveen, Mattes, Moon, Newberry, Nichols, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Taylor, Warren, Wilson of Fayette—28.

Absent or not voting:

Senators DeWolf, Dunham, Hopkins, Jamieson of Page, Kimmel, McManus, Saunders, Turner, Wilson of Clinton—9.

So the concurrent resolution was lost.

INTRODUCTION OF BILLS.

By Senator Warren, Senate File No. 368, a bill for an act to repeal Section Sixteen Hundred and Ninety-nine (1699) of the Code, relating to investment of funds of insurance companies other than life, and enact a substitute therefor.

Read first and second time and referred to Sifting Committee.

A BILL for an act to repeal Section Sixteen Hundred and Ninety-nine (1699) of the Code, relating to investment of funds of insurance companies other than life, and enact a substitute therefor.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That Section Sixteen Hundred and Ninety-nine (1699) of the Code be and the same is hereby repealed and the following enacted in lieu thereof:

Any company organized under this chapter may invest its capital and funds in the following securities, but its surplus funds only may be invested in the character of securities described in Paragraph Five (5) hereof:

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 this 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 evidences of indebtedness are issued by authority of and according to law and bear interest;

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 exclusive of buildings, unless such buildings are insured in favor of the company by some company or companies other than the company making the loan, to the amount at which such buildings are estimated in determining the value of such property;

5. Stocks or bonds of any solvent dividend paying corporation organized under the laws of this State or any other state worth at their current market value ten per cent more than the amount at which they are estimated in determining the assets of the company, but such investment shall not be made in the company's own stock.

The President announced that he had signed, in the presence of the Senate, House Joint Resolution No. 4, House Files No. 29, 101, 348, 351, 360, 429, 435, 473, and Senate Files No. 230, 278, 201, 239 and 42.

The following communication was received from the State Librarian and read:

DES, MOINES, IOWA, APRIL 3, 1907.

TO THE PRESIDENT OF THE SENATE—In conformity to Section Twenty-Eight Hundred and Sixty-three (2863), Chapter Seventeen (17) of the Code, I would respectfully ask that you direct the Secretary of the Senate to request the Senators and the attaches of the Senate to return soon as possible all books, documents, etc., taken by them from the State Library, it being my duty to report to the Governor before the adjournment of the session, giving the names of all members who have failed to return books at the date of such report, with the title and number of same.

Respectfully,

JOHNSON BRIGHAM,
State Librarian.

Senator Gilliland filed the following motion:

I move to reconsider the vote by which the concurrent resolution with reference to the parole of Betsey Smith was lost.

SHIRLEY GILLILLAND.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 278, a bill for an act to amend Section One (1) of Chapter One Hundred and Eighty-six (186), laws of the Thirtieth General Assembly, relating to lakes and lake beds.

Also:

Senate File No. 230, a bill for an act to require a stamp or label on

every ball of binder twine sold, exposed or offered for sale within this State, and providing a penalty for the violation thereof.

Also:

Senate File No. 42, a bill for an act relating to the capital stock of insurance companies, providing the conditions under which such companies shall operate upon the stock plan, prohibiting the advertising of an authorized capital, and providing penalties for the violation hereof.

Also:

Senate File No. 239, a bill for an act amending Section Thirteen Hundred and Thirty-three (1333) of the Code Supplement, in relation to taxes paid by insurance companies other than those organized under the laws of the State of Iowa.

Also:

Senate File No. 201, a bill for an act to repeal Chapter Forty-eight (48), acts of the Thirtieth General Assembly, relating to the vocation of peddlers, defining the term peddlers so as to include transient merchants and itinerant vendors selling by sample or by taking orders for immediate or future delivery, and to enact a substitute therefor.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 278, a bill for an act to amend Section One (1) of Chapter One Hundred and Eighty-six (186), laws of the Thirtieth General Assembly, relating to lakes and lake beds.

Also:

Senate File No. 230, a bill for an act to require a stamp or label on every ball of binder twine sold, exposed or offered for sale within this State, and providing a penalty for the violation thereof.

Also:

Senate File No. 42, a bill for an act relating to the capital stock of insurance companies, providing the conditions under which such companies shall operate upon the stock plan, prohibiting the advertising of an authorized capital, and providing penalties for the violation hereof.

Also:

Senate File No. 239, a bill for an act amending Section Thirteen Hundred and Thirty-three (1333) of the Code Supplement, in relation to taxes paid by insurance companies other than those organized under the laws of the State of Iowa.

Also:

Senate File No. 201, a bill for an act to repeal Chapter Forty-eight (48), acts of the Thirtieth General Assembly, relating to the vocation of peddlers, defining the term peddlers so as to include transient merchants and itinerant vendors selling by sample or by taking orders for immediate or future delivery, and to enact a substitute therefor.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 278, a bill for an act to amend Section One (1) of Chapter One Hundred and Eighty-six (186), laws of the Thirtieth General Assembly, relating to lakes and lake beds.

Also:

Senate File No. 230, a bill for an act to require a stamp or label on every ball of binder twine sold, exposed or offered for sale within this State, and providing a penalty for the violation thereof.

Also:

Senate File No. 42, a bill for an act relating to the capital stock of insurance companies, providing the conditions under which such companies shall operate upon the stock plan, prohibiting the advertising of an authorized capital, and providing penalties for the violation hereof.

Also:

Senate File No. 239, a bill for an act amending Section Thirteen Hundred and Thirty-three (1333) of the Code Supplement, in relation to taxes paid by insurance companies other than those organized under the laws of the State of Iowa.

Also:

Senate File No. 201, a bill for an act to repeal Chapter Forty-eight (48), acts of the Thirtieth General Assembly, relating to the vocation of peddlers, defining the term peddlers so as to include transient merchants and itinerant vendors selling by sample or by taking orders for immediate or future delivery, and to enact a substitute therefor.

W. B. SEELEY,

Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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 Joint Resolution No. 4, approving estimates of cost, plans, and specifications of library building at Cedar Falls, Iowa.

Also:

House File No. 29, a bill for an act to amend Section Seven (7) of Chapter One Hundred and Nine (109) of the laws of the Thirty-first General Assembly, relating to registration of births and deaths.

Also:

House File No. 101, a bill for an act appropriating money to J. H. Cownie, Jr., R. R. McCutchen and F. M. Hubbell, as trustees, to reimburse them for the funds advanced and used in the purchase of a tract of land for the State as an addition to the State Fair Grounds.

Also:

House File No. 348, a bill for an act to amend the law as it appears in Section Twenty-six Hundred and Eight (2608) of the Supplement to the Code, relating to the Soldiers' Home at Marshalltown.

Also:

House File No. 351, a bill for an act to amend Section Thirteen (13), Chapter One Hundred and Sixty-six (166) of the laws of the Thirty-first General Assembly, relating to appropriations for the enforcement of pure food law.

Also:

House File No. 360, a bill for an act to regulate the soliciting and using of proxies by insurance companies.

Also:

House File No. 429, a bill for an act for the relief of the grantees of James Seby Parsons, and for the purpose of having a patent issued in the name of Cornelis De Geest for a certain tract of land.

Also:

House File No. 435, a bill for an act defining, regulating and conferring rights and powers upon automobile railways, additional to Chapter Four (4), Title Ten (10) of the Code.

Also:

House File No. 473, a bill for an act to legalize the annexation of certain territory to the city of Centerville, Appanoose county, Iowa, and the election of officers by said city as enlarged.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

Senator Jamison of Clarke moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A.M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, APRIL 4, A. D. 1907.

Senate met in regular session at 9 o'clock A. M., President Garst presiding.

Prayer was offered by the Rev. Samuel D. McFadden of Des Moines.

On request of Senator DeArmand, leave of absence was granted Senator Frudden until tomorrow.

INTRODUCTION OF BILLS.

By Senator Peterson, Senate File No. 370, a bill for an act to legalize the election of the town council of the incorporated town of Belmond, Wright county, Iowa, and all the acts thereof during the last ten years.

WHEREAS, Doubts have arisen as to the legality of the town council of the town of Belmond, Wright county, Iowa, during the past ten years, including the present council of said town, because of omissions and irregularities in the nomination and election of said council; and particularly with reference to the last election held March 25th, 1907:

WHEREAS, Some of the acts and ordinances passed by said council have been so done irregularly; therefore.

Read first and second time and referred to Sifting Committee.

SENATE FILE NO. 370.

A BILL for an act to legalize the election of the town council of the incorporated town of Belmond, Wright county, Iowa, and all the acts thereof during the last ten (10) years.

WHEREAS, Doubts have arisen as to the legality of the town council of the town of Belmond, Wright county, Iowa, during the past ten (10) years, including the present council of said town, because of omissions and irregularities in the nomination and election of said council; and particularly with reference to the last election, held March 25, 1907; and,

WHEREAS, Some of the acts and ordinances passed by said council have been so done irregularly; therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the nomination and election of all the members of the town council of the said town of Belmond, Wright county, Iowa, during the last ten (10) years, including the present council of said town, be and the same are hereby legalized and declared to be legal, valid and binding to the same extent and with the same force and effect as though the laws had in all respects been fully and strictly complied with in all matters pertaining to the nomination and election of the said council.

SEC. 2. That all of the ordinances of the incorporated town of Belmond, Wright county, Iowa, and all official acts done under and by virtue of such ordinances by the officers of said town, not in contravention of the laws of the State of Iowa, and all the official acts of the town council of said town of Belmond, Wright county, Iowa, be and the same are hereby legalized, validated and declared to be legal, valid and binding to the same extent, and with the same force and effect, as though said ordinances and said acts and all things done in reference thereto were in all respects in strict conformity with all the rules and laws in regard to said matter and that the said ordinances had been legally and properly passed and adopted and recorded, and properly authenticated.

SEC. 3. Nothing herein contained shall affect pending litigation.

SEC. 4. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Register and Leader and the Iowa Valley Press, newspapers published at Des Moines and Belmond, Iowa, without expense to the State.

HOUSE MESSAGES CONSIDERED.

Substitute for Senate File No. 235, a bill for an act to protect the safety of railroad employes by regulating the maintaining and stringing of other wires over railroad tracks.

Passed on file.

House Joint Resolution No. 6, advising and recommending the conditional pardon of Jasper Mason.

Passed on file.

THIRD READING OF BILLS.

House File No. 460, a bill for an act providing the manner of reporting telephone exchanges for assessment when not connected by intervening lines, was taken up and considered.

The bill was read for information.

Senator Saunders moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting(Wilson of Fayette, Wilson of Clinton, Young—38.

The nays were:

None.

Absent or not voting:

Senators Allen, Dunham, Gale, Hopkins, Jackson, Jamieson of Page, McManus, Maytag, Moon, Stirton, Stookey, Turner—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 providing for a uniform policy to be used by all fire insurance companies doing business in the State of Iowa, was taken up and considered.

Senator Jamison of Clarke moved that the Senate insist on its amendments to House File No. 49 and ask for a conference committee.

Carried.

The President announced as conference committee on House File No. 49, on the part of the Senate: Senators Allen, Jamison of Clarke, DeArmand and Frudden.

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's report and amendments to House File No. 130, a bill for an act to amend Section Three Hundred and Three (303) of the Supplement to the Code as amended

by Chapter Eleven (11), acts of the Thirty-first General Assembly, relating to compensation of County Attorneys.

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. 468, a bill for an act authorizing cities of the first class and cities under special charter having a population of fifteen thousand or over, to erect a city hall, to purchase the necessary ground therefor, and to levy a special tax for the purpose of paying for the same, and repealing Chapter Twenty-seven (27) of the 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 amended and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 275, a bill for an act to amend Sections Three (3) and Four (4) of Chapter Three (3) of the acts of the Thirty-first General Assembly, relating to printing, binding and distribution of State reports and documents.

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. 318, a bill for an act to amend Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly, relating to the definition of adulterated foods, and fixing standards for certain food products.

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. 84, 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 offences and provide penalties therefor, and to repeal Sections Twenty-six Hundred

and Seventeen (2617), Twenty-six Hundred and Eighteen (2618), Twenty-six Hundred and Nineteen (2619), Twenty-six Hundred and Twenty (2620), Twenty-six Hundred and Thirty-five (2635), Twenty-six Hundred and Thirty-six (2636), Twenty-six Hundred and Forty-two (2642), Twenty-six Hundred and Forty-six (2646), Twenty-six Hundred and Forty-seven (2647), Twenty-six Hundred and Fifty (2650), Twenty-six Hundred and Fifty-one (2651), Twenty-six Hundred and Fifty-two (2652), Twenty-six Hundred and Fifty-three (2653), Twenty-six Hundred and Sixty-eight (2668), Twenty-six Hundred and Sixty-nine (2669), Twenty-six Hundred and Seventy (2670), Twenty-six Hundred and Eighty-one (2681) of the Code and the law as it appears in Sections Twenty-seven Hundred and Twenty-seven-a-Fifty-three (2727-a-53), Twenty-seven Hundred and Twenty-seven-a-Fifty-four (2727-a-54), Twenty-seven Hundred and Twenty-seven-a-Fifty-five (2727-a-55) and Twenty-seven Hundred and 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 indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate File No. 45, a bill for an act to amend the law as it appears in Section Twenty-two Hundred and Eleven (2211) of the Supplement to the Code, and to amend Section Twelve (12) of Chapter Seventy-seven (77) of the acts of the Thirtieth General Assembly, and Section Eighteen (18) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to repeal Section Fourteen (14) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to enact a substitute therefor, and to provide for stoppage of compensation due officers and men of the Iowa National Guard for loss or damage to property issued to them by the State for military purposes.

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. 222, a bill for an act to amend Section Four Hundred and Thirty-three (433), Title IV (4), Chapter Two (2) of the Code and amendatory acts thereto, fixing the amount supervisors may allow for the burial of deceased soldiers.

C. R. BENEDICT,
Chief Clerk.

Senator Allen moved that the rules be suspended and that the Sifting Committee be directed to return to the Senate Senate File No. 344, relating to the duties of railroads as to furnishing transportation.

On the motion of Senator Allen, a roll call was demanded.

On the question, "Shall the motion prevail?"

The yeas were:

Senators Allen, Eckles, Hughes, Kimmel, Kinne, Turner, Wade, Whiting, Young—9.

The nays were:

Senators Bleakly, Bruce, Clark, Crossley, DeArmand, DeWolf, Dowell, Elerick, Ericson, Foley, Frudden, Gilliland, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Lambert, McKlveen, Maytag, Moon, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Warren, Whipple, Wilson of Fayette, Wilson of Clinton—33.

Absent or not voting:

Senators Burgess, Dunham, Gale, Hopkins, McManus, Mattes, Newberry, Nichols—8.

So the motion was lost.

Senator Mattes filed the following motion:

I move to reconsider the vote by which House File No. 460 passed the Senate today.

JOSEPH MATTES.

Senator McKlveen, from the joint committee appointed to draft suitable resolutions on the life, character and public service of the late Hon. Samuel Lucius Bestow, submitted the following report:

RESOLUTIONS OF RESPECT.

MR. PRESIDENT—Your committee appointed on the part of the Senate to draft suitable resolutions on the life, character and public services of the late Hon. Samuel Lucius Bestow of Chariton, Lucas county, Iowa, would respectfully submit the following report:

Samuel L. Bestow was born in Erie county, New York, March 8, 1823. He attended the public schools of that county in his boyhood and later alternated between farm work in the summer and school teaching in the winter until he became of age. He then entered active business life and was for some time engaged in manufacturing. He attended an academy in Rochester, New York, and served as superintendent of public schools before leaving his native state.

In 1870 he removed to Iowa, making his home on a new farm near Chariton, Lucas county. At the beginning of the Civil war he volunteered to go into the army, but was rejected on account of physical disability.

In the early years of the slavery agitation he was a member of the Republican party. In 1875 he was nominated by the Republican party of Lucas and Clarke counties for State Senator and was duly elected, and served in that body during the Sixteenth and Seventeenth General Assemblies. He was the author of the resolution providing for an investigation of the affairs and management of the Fort Madison penitentiary and was made chairman of the commission.

Soon after, for various reasons, mainly on account of the stand the Republican party took on the liquor and tariff questions, he left the party and allied himself with the Democrats. In 1893 he was their nominee for Lieutenant-Governor and was elected to that office with Governor Boies. In the administration of his duties as presiding officer of the Senate he was uniformly courteous and careful. With the membership so evenly divided between the two great parties, it was no easy matter to preside in such a manner as to please all, but he managed it so skillfully that the resolution of thanks passed at the close of the session was heartily endorsed by every member of the Senate. He showed no favoritism and all recognized an honest and successful effort to give every member his full rights.

It should be remembered that this was the first time since the creation of the office that a Democrat had been chosen to the position of Lieutenant-Governor and the first time since the extra session of 1856 that a presiding officer of the Senate had been a Democrat, a period of thirty-six years.

At the time that the Hon. John H. Gear was first elected to the United States Senate, Mr. Bestow received the full vote of the minority for that place, which was a fitting tribute to his abilities and standing. The division in the Legislature was 71 for Bestow and 77 for Gear, a passage in the political history of the State not generally remembered.

We owe to Mr. Bestow 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 service; therefore, be it

Resolved, That in the death of this patriotic citizen, the State has lost an honored, influential and upright man.

Resolved, That these resolutions be entered on the Journals of the House and Senate and that an engrossed copy be presented to the family of the deceased by the Secretary of the Senate.

J. A. MCKLVEEN,

THOS. LAMBERT,

JAS. H. JAMISON,

Committee on part of the Senate.

J. H. DARRAH,

W. P. ALLRED,

G. W. KOONTZ,

Committee on part of the House.

Senator McKlveen moved the adoption of the resolution and spoke as follows:

MR. PRESIDENT, SENATORS—It was my good fortune to have known Mr.

Bestow from the time he located in Lucas county, in 1870. I soon became intimately acquainted with him, and for many years was his family physician. I am enabled to bear testimony to the many virtues which adorned his life and secured for him the sincere respect of all with whom he came in contact. Upon his arrival in Lucas county, he settled on a farm and devoted himself exclusively to agriculture and stock raising, a calling always congenial to his taste, and when approached and solicited to become the standard bearer of his party, like Cincinnatus, he was found at the plow. He accepted the nomination of the Republican party for State Senator of Lucas and Clarke counties and was duly elected to that office in 1875 and served in the Sixteenth and Seventeenth General Assemblies. He was diligent and painstaking in the performance of every duty and was especially vigilant in looking after the interests of his constituents. He was a man of unusual modesty, never intruding his opinions, but at the same time he was possessed of large common sense, sound judgment, and very positive convictions. He accorded to others the right to think and act as they saw fit, but he never permitted differences of views to affect his personal associations. He abhorred treachery, deception, untruthfulness, and he never made a promise that he did not regard sacred and to the best of his ability tried to perform. His wife died seven years ago. Two daughters and a son survive him. His domestic life was a very happy one.

The career of Mr. Bestow was rounded out fittingly in the manner of his death, which was as peaceful as his life was beautiful. He had ever lived so as to be ready to meet the final summons calmly when it came; his spirit marched trustingly over the silent river, secure in the assurance of the final good reward of the Christian soldier who had lovingly and loyally obeyed the orders of the great Captain of Salvation. A noble man, loving husband, a kind father, a true patriot, and a sincere, faithful Christian passed away when the Angel of Death touched Samuel L. Bestow.

There is nothing more fitting than that when men die, some note should be made of it, something should be said of it,—something that perchance may bring consolation to the sorrowing and that may aid the mind in the contemplation of the mysteries of life and death.

There is no death: what seems so is transition.
 This life of mortal breath
 Is but the suburb of that life Elysian,
 Whose portals we call death.

"The things which are seen are temporal: but the things which are not seen are eternal." Death we see, but life is unseen. The roots of life lie deep among the dead: its nourishment comes from decay. The brightest colors and the sweetest perfumes are brewed in dismal swamps. The pond lily rests upon the most stagnant pool. Without death there could be no life. And so, immortality is but the bloom of life, and death is perpetuity.

So when one who was loved and honored by a great people puts on this bloom of immortality, it is an eminently proper thing that we should turn aside from the ordinary duties of life and give expression in our

feeble way to the questioning of the human mind and our realization of the answer made by the Divine Mind.

So I have come to lay a garland upon the bier of my friend. "There's rosemary, that's for remembrance; and there's pansies, that's for thoughts." His was a manhood that respected honor, truth, integrity, virtue, candor and righteousness as sacred as life, as priceless as eternity.

"The stars may fade, the sun's bright beams expire,
Creation sink on Nature's funeral pyre.
But Virtue's gifts, unfading, shall endure,
When stars and skies and suns shall be no more."

His integrity of character, his fidelity to duty, his sturdy manhood, his distinguished public services, his commanding ability, and his kindly heart won him a place in the affections of his people, and he leaves behind him the memory of a life well lived as a sweet fragrance, a blessed benison. It was these excellent qualities that gave him high preferment in affairs of State and that made his memory a precious heritage to those who remain behind. May the influence of a noble life ever remain with us, as bright, as shining, and as clear, as on that day, when he laid down his burdens, gazed out upon the shoreless sea, and felt "upon his wasted brow the breath of the eternal morning."

Senator Jamison of Clarke spoke as follows:

MR. PRESIDENT AND SENATORS—One of the tenderest traditions of the human race is the habit of cessation of public duties;—pausing long enough in our daily toil to say farewell in fitting terms over the graves of our fellow countrymen. The age in which we live is so thoroughly dominated by a greedy, hurrying, time-running spirit that public men sometimes forget the veneration due the departed fellow citizen.

The Senate finds it becoming today to lay aside legislative cares and with the accustomed dignity do honor to the memory of one who was once a member of this body, and who also served as presiding officer. Fifteen years ago, the chair now occupied by our worthy President was filled by the subject of this resolution, in the vigor of physical and mental manhood, and today we are called upon to perform for our departed friend the last sacred honor that the living can perform for the dead.

In the Twenty-fourth General Assembly of the State of Iowa, Samuel L. Bestow enjoyed the distinction of having been elected by his party as Lieutenant-Governor of this State. It being a distinction extremely rare, as it was the only time within the last half century that his party had succeeded in placing a man in that position. It was a time when the political parties were evenly divided in this chamber and when the political turmoil was such that to preside required a man of skill, integrity and sterling worth. His individuality was pointed, strong, frank and manly. In his personal bearing there was mingled a firmness, gentleness and integrity which attracted even those of the opposite political faith to him and rendered him at once a social favorite. He was a man of brilliant intellectual gifts and requirements, and in his investigation of legislative subjects he allowed nothing short of the bed rock to satisfy

him. He was kind and genial, and soon gathered around him a score of friends from both political parties. He was wise, judicious, generous, and fair to all. His political career ended shortly after his retirement from the position that he occupied in this chamber, and he lived a quiet and happy life on his own homestead in Lucas county, Iowa.

In looking over this body, I see but one familiar face, beside myself, who had the honor to serve in this body when it was presided over by this distinguished man. Our present presiding officer, together with myself, had the honor to be members of this body at that time. Samuel L. Bestow was a man, citizen and statesman, beloved by all who knew him. While this noble man has left us, his memory will be cherished by those who knew and loved him, as long as love and patriotism are passions that ebb and flow in the human heart. Like a gentle rippling river with green and shaded banks, this noble man, statesman and citizen quietly laid down his burden and passed to eternal rest on the 10th day on January, 1907, leaving the State of Iowa to mourn the loss of one of her most respected citizens,—a grand and noble man.

Senator Moon spoke as follows:

MR. PRESIDENT—It is fitting and proper that we should devote this time to the honor and memory of those who have served the State as members of the Senate and who have passed away since the last meeting of the General Assembly.

The memory of Samuel L. Bestow has recently been properly honored by those who were nearest to him, and it is appropriate that the State which he served should, through its representatives, add its tribute.

Mere tenure of office can not add much real dignity and honor to the life of any man, but preferment through the choice to high office, by a sovereign people, is worthy of the ambition of any man. Samuel L. Bestow reached that preferment and, as in his public service, he vindicated the judgment of those who chose him. It is fitting that we should here make record of the fact by the adoption of these resolutions and that the tribute that we pay to his memory should become a part of the recorded history of our State.

The resolutions were unanimously adopted by a rising vote.

Senator Gilliland moved that the remarks made by Senators McKlveen, Jamison of Clark and Moon be printed in the Journal.

Carried.

Senator Dowell, from the joint committee appointed to draft appropriate resolutions on the life, character and public services of ex-Lieutenant-Governor Frank T. Campbell, submitted the following report:

MR. PRESIDENT—Your committee appointed on the part of the Senate to draft suitable resolutions on the life, character and public services of

Frank T. Campbell, ex-Lieutenant-Governor of the State of Iowa, would respectfully submit the following report:

To the General Assembly of the State of Iowa:

WHEREAS, Frank T. Campbell, Lieutenant-Governor of Iowa from 1878 to 1882, departed this life after a lingering illness, at his home in Lima, Ohio, on the 6th day of March, A. D. 1907; therefore, be it

Resolved, That the General Assembly of the State of Iowa has heard with deep sorrow and regret of the death of Iowa's distinguished son and former Lieutenant-Governor, and that in his death this commonwealth mourns the loss of one of her honorable and patriotic sons.

Frank T. Campbell was born in the state of Ohio in the year 1836, and died at the ripe age of seventy-one years. At the age of twenty he moved to Iowa, and settled at Newton, in Jasper county, where he became associated with his brother in the management of the Newton Journal. Governor Campbell was a member of the State Senate and served during the Thirteenth, Fourteenth, Fifteenth and Sixteenth General Assemblies, and was active in shaping the important legislation of that period, particularly the legislation referring to the regulation of railway passenger and freight rates. In March, 1888, he was appointed a member of the Railway Commission, and at the November election in the same year was elected to that position, the tenure of that office having been changed from appointive to elective.

Governor Campbell served as captain of Company "A" of the Fortieth Iowa Infantry during the War of the Rebellion, and performed able and patriotic service in behalf of his country; be it further

Resolved, That the General Assembly takes this occasion to testify its high appreciation of the exalted character and distinguished public services of Frank T. Campbell, and hereby extends to his bereaved family its sincere sympathy in their sorrow and affliction; be it further

Resolved, That a copy of these resolutions be properly engrossed, authenticated by the President and Secretary of the Senate, and the Speaker and Clerk of the House, and sent to the members of his family.

JOHN B. SULLIVAN,

C. A. MEREDITH,

E. J. SIDEY,

Committee on part of the House.

C. C. DOWELL,

GEO. W. DUNHAM,

A. F. FRUDDEN,

Committee on part of the Senate.

Senator Dowell spoke as follows:

MR. PRESIDENT AND SENATORS—In rising to move the adoption of the resolutions just offered by your committee, I feel it my duty to say a word relative to the life and character of Governor Campbell.

He was a soldier of the Civil War, having entered the service shortly after its beginning, and was promoted to the captaincy of Company "A" of the Fortieth Iowa Infantry. For two terms he served as a member of this Senate, and afterwards was called to preside over it for two terms.

Under the administration of Governor Larrabee, when the office of Railroad Commissioner was appointive, Governor Campbell was appointed a member of this board and was afterwards elected to this office. In all his political acts, he was an earnest and persistent advocate of what he believed to be for the best interests of the people of the State. He was uncompromising in his position against what he believed to be wrong. His record as a legislator, as the presiding officer, and as Railroad Commissioner of this State showed clearly the character and worth of the man.

After his retirement from public life, he came to the city of Des Moines, where he resided until a little while prior to the date of his death, which occurred on March 6th of this year.

As a private citizen, he always took an active part in the affairs which in any manner affected the public. He was an honest, honorable, and upright man. The State has received great and lasting benefits from his services as an official. It has received more benefits from the influence of the character of the man.

Mr. President, I move the adoption of the resolutions.

Senator Ericson spoke as follows:

MR. PRESIDENT—I wish to add a few words of commendation respecting the life and public services of the late Lieutenant-Governor Frank T. Campbell.

I had the honor of serving with him in the Fourteenth General Assembly and the extra session of 1873. I learned to respect and honor him as an able legislator, a man of strong character and individuality, honorable and upright in all his dealings.

His record as a public servant is one of a clear purpose to serve the best interests of the State, and especially for the interests of the common people, which was always uppermost in his mind during his whole career as State Senator, Lieutenant-Governor and Railroad Commissioner.

During the latter years of his life, as a private citizen, his voice and pen were always employed in the interest and betterment of the common people of our State, and I believe that through the services rendered to our State and people by him, their interests have been better served for the part he has taken in the affairs of the State.

The resolutions were adopted by a rising vote.

Senator Young moved that the remarks of Senators Dowell and Ericson be printed in the Journal.

Carried.

By consent the motion filed yesterday by Senator Gilliland to reconsider the vote by which the concurrent resolution relative to the parole of Betsey Smith was withdrawn.

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 the following bill, in which the concurrence of the House was asked:

House File No. 385, a bill for an act to amend Section Two Thousand and Twenty-two (2022) of the Code, relating to cattle guards at private crossings over railways.

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 the following bill, in which the concurrence of the House was asked:

House File No. 303, a bill for an act to repeal Sections Three Hundred and Seventy-three (373), Three Hundred and Seventy-four (374), Three Hundred and Seventy-five (375) and Three Hundred and Seventy-six (376) of the Code, in relation to notaries public, and enact substitutes therefor; also to amend Section Sixty-eight (68) of the Code in relation to the registration of commissions.

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 the following bill, in which the concurrence of the House was asked:

House File No. 421, a bill for an act to repeal Section Two Thousand and Twenty-six (2026) of the Supplement to the Code, and Chapter Eighty-seven (87) of the acts of the Thirty-first General Assembly, and to enact a substitute therefor, 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 concurred in Senate amendments to the following bill, in which the concurrence of the House was asked:

House File No. 353, a bill for an act to amend the law as it appears in Section Twenty-two Hundred and Eleven (2211) of the Supplement to the Code and Section Eighteen (18) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to repeal Section Twelve (12) of Chapter Seventy-seven (77) of the acts of the Thirtieth General Assembly, and Section Fourteen (14), Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to enact substitutes therefor, and to provide for stoppage of compensa-

tion due officers and men of the Iowa National Guard for loss or damage to property issued to them by the State for military purposes.

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. 20, a bill for an act to repeal Chapter Five (5) of Title IX (9) of the Code and enact a substitute therefor.

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 the following bill, in which the concurrence of the House was asked:

House File No. 379, a bill for an act to prohibit common carriers of passengers from issuing, furnishing or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act, also for annual reports and for the repeal of Chapter Ninety (90), laws of the Thirty-first General Assembly.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

House adopted the conference committee report and amendments to House File No. 130, a bill for an act to amend Section Three Hundred and Three (303) of the Supplement to the Code as amended by Chapter Eleven (11), acts of the Thirty-first General Assembly, relating to compensation of County Attorneys.

Passed on file.

REPORT OF COMMITTEE.

Senator Jones, from the committee on conference on House File No. 130, submitted the following report:

MR. PRESIDENT—Your committee on conference, to whom was referred House File No. 130, a bill for an act to amend Section Three Hundred and Eight (308) of the Supplement to the Code as amended by Chapter Eleven (11), acts of the Thirty-first General Assembly, relating to the compensation of County Attorneys, beg leave to report that they have had the same under consideration and recommend that the Senate recede from its amendments and that Section One (1) be amended as follows: Strike out the period at the end thereof and

insert a semicolon and add the following after the semicolon: provided, that in counties having a population exceeding thirty thousand and under thirty-five thousand the Board of Supervisors may pay not to exceed Fifteen Hundred Dollars (\$1,500.00) annually, and in counties having a population exceeding forty thousand and under forty-five thousand the Board of Supervisors may pay not to exceed Seventeen Hundred and Fifty Dollars (\$1,750.00) annually, and when so amended the bill do pass.

W. G. JONES.
JOHN L. WILSON.
J. I. NICHOLS.
F. M. HOPKINS.

Conference Committee on part of the Senate.

E. W. WEEKS.
C. W. HACKLER.
A. F. N. HAMBLETON.
W. T. HARDING.

Conference Committee on part of the House.

THIRD READING OF BILLS.

House File No. 130, a bill for an act to amend Section Three Hundred and Eight (308) of the Supplement to the Code as amended by Chapter Eleven (11), acts of the Thirty-first General Assembly, relating to the compensation of County Attorneys, was taken up and considered.

Senator Jones moved to adopt the report of the conference committee on House File No. 130, and also to adopt and include in the bill the amendments recommended by said committee.

On the question, "Shall the report and amendments be adopted?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, Dowell, Eckles Ericson, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

None.

Absent or not voting:

Senators Bruce, DeArmand, DeWolf, Dunham, Elerick, Frud-
den, McManus, Peterson, Smith of Mitchell, Stuckslager—10.

So the report and amendments having received a constitutional majority were declared to have been adopted.

On request of Senator Peterson, he was excused from voting on account of having a personal interest in the provisions of the bill under consideration.

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 conference committee report and amendments, and receded from its action in refusing to concur in Senate substitute amendments, as recommended by conference committee, to House File No. 171, a bill for an act to amend Section Thirteen Hundred and Seventy-three (1373) of the Code, relating to the correction of erroneous assessments.

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. 458, a bill for an act to instruct the Attorney-General to investigate the operations of the International Harvester Company, with a view to prosecution, and making an appropriation therefor.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 168, a bill for an act to amend the law as it appears in Section Sixty-five (65) of the Supplement to the Code, and to amend Sections Eighty-eight (88), Ninety-nine (99) and One Hundred and Sixteen (116) of the Code, relating to the compensation of the Secretary to the Governor, the Deputy Secretary of State, the Deputy Auditor of State and the Deputy Treasurer of State, and the Deputy Superintendent of Public Instruction, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the amendments recommended by the Committee on Compensation of Public Officers be adopted, and that the bill be further amended as follows. Amend title to read:

A bill for an act to amend the law as it appears in Sections Sixty-five (65) and Twenty-six Hundred and Twenty-seven (2627) of the Supplement to the Code, and to amend Sections Eighty-seven (87), Ninety-nine (99) and One Hundred and Sixteen (116) of the Code, relating to the com-

compensation of the Secretary to the Governor, the Deputy Superintendent of Public Instruction, the Deputy Secretary of State, the Deputy Auditor of State and the Deputy Treasurer of State; also to amend Section Two Hundred and Five (205) of the Code, in reference to Deputy Clerk of the Supreme Court.

Amend Section Two (2) by striking out in the first line the words and figures "eighty-eight (88)" and inserting in lieu thereof the words and figures "eighty-seven (87)."

Amend Section Five (5) by striking out of the first line the words and figures "That Section Twenty-six Hundred and Twenty-seven (2627) of the Code" and inserting in lieu thereof the words and figures "That the law as it appears in Section Twenty-six Hundred and Twenty-seven (2627) of the Supplement to the Code."

And when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Adopted.

THIRD READING OF BILLS.

House File No. 168, a bill for an act to amend the law as it appears in Section Sixty-five (65) of the Supplement to the Code, and to amend Sections Eighty-eight (88), Ninety-nine (99) and One Hundred and Sixteen (116) of the Code, relating to the compensation of the Secretary to the Governor, the Deputy Secretary of State, the Deputy Auditor of State and the Deputy Treasurer of State, and the Deputy Superintendent of Public Instruction, with report of committee recommending passage as amended, was taken up, considered, and the report of the Committee on Compensation of Public Officers adopted.

Senator Bleakly moved the adoption of the following amendment, recommended by the Committee on appropriations:

A bill for an act to amend the law as it appears in Sections Sixty-five (65) and Twenty-six Hundred and Twenty-seven (2627) of the Supplement to the Code, and to amend Sections Eighty-seven (87), Ninety-nine (99) and One Hundred and Sixteen (116) of the Code, relating to the compensation of the secretary to the Governor, the Deputy Superintendent of Public Instruction, the Deputy Secretary of State, the Deputy Auditor of State and the Deputy Treasurer of State; also to amend Section Two Hundred and Five (205) of the Code, in reference to Deputy Clerk of the Supreme Court.

Adopted.

Senator Bleakly moved the adoption of the following amendment, recommended by the Committee on Appropriations:

Amend Section Two (2) by striking out in the first line the words and figures "eighty-eight (88)" and inserting in lieu thereof the words and figures "eighty-seven (87)."

Adopted.

Senator Bleakly moved the adoption of the following amendments, recommended by the Committee on Appropriations:

Amend Section Five (5) by striking out of the first line the words and figures "That Section Twenty-six Hundred and Twenty-seven (2627) of the Code" and inserting in lieu thereof the words and figures "That the law as it appears in Section Twenty-six Hundred and Twenty-seven (2627) of the Supplement to the Code."

Adopted.

Senator Bleakly moved the adoption of the following amendment, recommended by the Committee on Compensation of Public Officers:

Amend Section One (1) by striking out the words "Two Thousand" in the fourth line and inserting in lieu thereof the words "Eighteen Hundred."

Adopted.

Senator Bleakly moved the adoption of the following amendment, recommended by the Committee on Compensation of Public Officers:

Amend Section Two (2) by striking out the words "Two Thousand" in the third line and inserting in lieu thereof the words "Eighteen Hundred."

Adopted.

Senator Bleakly moved the adoption of the following amendment, recommended by the Committee on Compensation of Public Officers:

Amend Section Three (3) by striking out the words "Two Thousand" in the third line and inserting in lieu thereof the words "Eighteen Hundred."

Adopted.

Senator Bleakly moved the adoption of the following amendment, recommended by the Committee on Compensation of Public Officers:

Amend Section Four (4) by striking out the words "Two Thousand" in the fourth line and inserting in lieu thereof the words "Eighteen Hundred."

Adopted.

Senator Bleakly moved the adoption of the following amendment, recommended by the Committee on Compensation of Public Officers:

Amend by adding the following as Section Six (6): "That Section Two Hundred and Five (205) of the Code be amended by striking out the words "Fifteen Hundred" in the fourth line and inserting the words "Eighteen Hundred" in lieu thereof.

Adopted.

Senator Bleakly moved the adoption of the following amendment, recommended by the Committee on Compensation of Public Officers:

Amend by adding the following as Section Nine (9):

“This act, being deemed of immediate importance, shall be in force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in Des Moines, Iowa.”

Adopted.

Senator Bleakly moved the adoption of the following amendment:

I move to amend by inserting the following as Section Seven (7):

SEC. 7. That Section Twenty-one Hundred and Twenty-one (2121) of the Code be amended by striking out the word “fifteen” in the fourth line and inserting the word “eighteen” in lieu thereof.

Adopted.

Senator Lambert moved the adoption of the following amendment:

I move to amend House File No. 168 as follows: Insert as Section Eight (8) of the amended bill the following:

SEC. 8. That Section Two Thousand Five Hundred and Eighty-five (2585) of the Code be amended by striking out the word “fifteen” in the last line of said section and inserting the word “eighteen” in lieu thereof.

On the adoption of the amendment, a roll call was demanded.

On the question, “Shall the amendment be adopted?”

The yeas were:

Senators Clark, DeArmand, DeWolf, Dowell, Eckles, Gale, Hopkins, Jackson, Jamieson of Page, Kimmel, Lambert, Mattes, Newberry, Smith of Des Moines, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—21.

The nays were:

Senators Bleakly, Crossley, Elerick, Ericson, Gilliland, Hughes, Jamison of Clarke, Jones, Kinne, McKlveen, Nichols, Saunders, Seeley, Stookey, Whipple—15.

Absent or not voting:

Senators Allen, Bruce, Burgess, Dunham, Foley, Frudden, McManus, Maytag, Moon, Peterson, Smith of Mitchell, Stirton, Stuckslager, Taylor—14.

So the amendment was adopted.

The bill as amended was read for information.

Senator Bleakly moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Ericson, Foley, Gale, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Lambert, McKlveen, McManus, Mattes, Maytag, Peterson, Saunders, Seeley, Stirton, Stookey, Turner, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—33.

The nays were:

Senators Elerick, Gilliland, Jones, Kinne, Nichols—5.

Absent or not voting:

Senators Bruce, DeWolf, Eckles, Frudden, Moon, Newberry, Smith of Des Moines, Smith of Mitchell, Stuckslager, Taylor, Wade, Whipple—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

EXPLANATION OF VOTE.

I vote "no" because of Section Eight (8) and not for any other reason.

SHIRLEY GILLILLAND.

REPORT OF COMMITTEE.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 407, a bill for an act repealing Section Two Thousand Eight Hundred and Eighty-one (2881) of the Code and Section Two Thousand Eight Hundred and Eighty-one (2881) of the Supplement to the Code and Section Six (6) of Chapter One Hundred Fourteen (114) of the acts of the Twenty-eighth General Assembly, relating to employes in the State library, fixing their salaries and providing for their bonds, and enacting a substitute therefor, beg leave to report that they have had the same under consideration and recommend the same be amended as follows:

By striking out in Section Two (2), lines two and three, the words and figures "Two Thousand Two Hundred Fifty Dollars (\$2,250.00)" and inserting in lieu thereof the words and figures "Two Thousand Four Hundred Dollars (\$2,400.00)."

Also by striking out all of Section Four (4); making Section Five

(5) to read Section Four (4), Section Six (6) to read Section Five (5) and Section Seven (7) to read Section Six (6).

And when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Adopted.

THIRD READING OF BILLS.

House File No. 407, a bill for an act repealing Section Twenty-eight Hundred and Eighty-one (2881) of the Code and Section Twenty-eight Hundred and Eighty-one (2881) of the Supplement to the Code, and Section Six (6) of Chapter One Hundred and Fourteen (114) of the acts of the Twenty-eighth General Assembly, relating to employes in the State library, fixing their salaries and providing for their bonds, and enacting a substitute therefor, was taken up and considered.

Senator Dunham moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Dunham moved that the vote by which the bill passed to its third reading be reconsidered.

Carried.

Senator Dunham moved the adoption of the following amendment, recommended by the Committee on Appropriations:

Amend by striking out in Section Two (2), lines two and three, the words and figures "Two Thousand Two Hundred Fifty Dollars (\$2,250.00)" and inserting in lieu thereof the words and figures "Two Thousand Four Hundred Dollars (\$2,400.00).

Also by striking out all of Section Four (4); making Section Five (5) to read Section Four (4), Section Six to read Section Five (5) and Section Seven (7) to read Section Six (6).

Adopted.

The bill, as amended, was read for information.

Senator Dunham moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, DeWolf, Dowell, Dunham, Eckles, Ericson, Foley, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jamieson of Clarke, Kimmel, Kinne, McKlveen, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Tur-

ner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—39.

The nays were:

None.

Absent or not voting:

Senators Bruce, Crossley, DeArmand, Elerick, Frudden, Hopkins, Jones, Lambert, McManus, Moon, 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. 367, a bill for an act authorizing the Executive Council to install an additional boiler and equipment in the power and storage house, and to erect an additional storage house, and to make appropriation therefor, was taken up and considered.

The bill was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators Dunham, Frudden, Hopkins, Jamison of Clarke, Mattes, Peterson, Smith of Mitchell, 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. 182, a bill for an act providing for the inside finishing and completion of the historical, memorial and art building, and making an appropriation therefor, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Maytag moved that the committee substitute be substituted for the original bill.

Carried.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Dunham, Frudden, Jamison of Clarke, McManus, Peterson, Taylor—6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

HOUSE MESSAGES CONSIDERED.

House refuses to concur in Senate amendments to House File No. 379, a bill for an act to prohibit common carriers of passengers from issuing, furnishing or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act, also for annual reports and for the repeal of Chapter Ninety (90), laws of the Thirty-first General Assembly.

Senator Saunders moved that the Senate insist on its amendments to House File No. 379, and ask a conference committee.

On the motion to insist, a roll call was demanded.

On the question, "Shall the motion prevail?"

The yeas were:

Senators Bruce, Clark, Crossley, DeArmand, DeWolf, Dowell, Elerick, Ericson, Foley, Gale, Hopkins, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McKlveen, McManus, Mattes, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—36.

The nays were:

Senators Allen, Bleakly, Eckles, Gilliland, Hughes, Turner, Young—7.

Absent or not voting:

Senators Burgess, Dunham, Frudden, Lambert, Maytag, Peterson, Taylor—7.

So the motion prevailed.

House File No. 468, a bill for an act authorizing cities of the first class and cities under special charter having a population of fifteen thousand (15,000) or over to erect a city hall, to purchase the necessary ground therefor, and to levy a special tax for the purpose of paying for the same, and repealing Chapter Twenty-seven (27) of the laws of the Thirtieth General Assembly.

Read first and second time and referred to Sifting Committee.

House has amended and passed Senate File No. 275, a bill for an act to amend Sections Three (3) and Four (4) of Chapter Three (3) of the acts of the Thirty-first General Assembly, relating to printing, binding and distribution of State reports and documents.

Passed on file.

House has amended and passed Senate File No. 318, a bill for an act to amend Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly, relating to the definition of adulterated foods, and fixing standards for certain food products.

Passed on file.

House has indefinitely postponed Senate File No. 84, 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 offences and provide penalties therefor, and to repeal Sections 2617, 2618, 2619, 2620, 2635, 2636, 2642, 2646, 2647, 2650, 2651, 2652, 2653, 2668, 2669, 2670, 2681 of the Code and the law as it appears in Sections 2727-a-53, 2727-a-54, 2727-a-55, 2727-a-56 of the Supplement to the Code, and to repeal all acts and parts of acts inconsistent with this act.

Passed on file.

House has indefinitely postponed Senate File No. 45, a bill for an act to amend the law as it appears in Section Two Thousand Two Hundred and Eleven (2211) of the Supplement to the Code, and to amend Section Twelve (12) of Chapter Seventy-seven (77) of the acts of the Thirtieth General Assembly, and Section Eighteen (18) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to repeal Section Fourteen (14) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to enact a substitute therefor, and to provide for stoppage of compensation due officers and men of the Iowa National Guard for loss or damage to property issued to them by the State for military purposes.

Passed on file.

House has indefinitely postponed Senate File No. 222, a bill for an act to amend Section Four Hundred and Thirty-three (433), Title Four (4), Chapter Two (2) of the Code, and amendatory acts thereof, fixing the amount supervisors may allow for the burial of deceased soldiers.

Passed on file.

House has amended and passed Senate File No. 20, a bill for an act to repeal Chapter Five (5) of Title Nine (9) of the Code and enact a substitute therefor.

Passed on file.

House has adopted conference committee report and amend-

ments and receded from its action in refusing to concur in Senate substitute amendment as recommended by conference committee to House File No. 171, a bill for an act to amend Section One Thousand Three Hundred and Seventy-three (1373) of the Code, relating to the correction of erroneous assessments.

Passed on file.

House File No. 458, a bill for an act to instruct the Attorney-General to investigate the operations of the International Harvester Company, with a view to prosecution and making an appropriation therefor.

Read first and second time and referred to Committee on Appropriations.

House has concurred in Senate amendments to House File No. 353, a bill for an act to amend the law as it appears in Section Two Thousand Two Hundred and Eleven (2211) of the Supplement to the Code, and Section Eighteen (18) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to repeal Section Twelve (12) of Chapter Seventy-seven (77) of the acts of the Thirtieth General Assembly, and Section Fourteen (14), Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to enact substitutes therefor, and to provide for stoppage of compensation due officers and men of the Iowa National Guard for loss or damage to property issued to them by the State for military purposes.

Passed on file.

House has concurred in Senate amendments to House File No. 421, a bill for an act to repeal Section Two Thousand and Twenty-six (2026) of the Supplement to the Code, and Chapter Eighty-seven (87) of the acts of the Thirty-first General Assembly, and to enact a substitute therefor, relating to street railways over highways.

Passed on file.

House has concurred in Senate amendments to House File No. 303, a bill for an act to repeal Sections Three Hundred and Seventy-three (373), Three Hundred and Seventy-four (374), Three Hundred and Seventy-five (375) and Three Hundred and Seventy-six (376) of the Code, in relation to notaries public, and enact sub-

stitutes therefor; also to amend Section Sixty-eight (68) of the Code in relation to the registration of commissions.

Passed on file.

House has concurred in Senate amendments to House File No. 385, a bill for an act to amend Section Two Thousand and Twenty-two (2022) of the Code, relating to cattle guards at private crossings over railways.

Passed on file.

THIRD READING OF BILLS.

Senate File No. 318, a bill for an act to amend Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly, relating to the definition of adulterated foods, and fixing standards for certain food products, was taken up and considered.

Senator Newberry moved that the Senate concur in the following House amendment:

Amend Senate File No. 318 by striking out the word "otto" in the first line of Division Fifteen (15) of Section Three (3) of the bill and insert in lieu thereof the word "attar."

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson, Wilson of Clinton, Young—43.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Frudden, Hopkins, Jamieson of Page, Jamison of Clarke, Maytag, Peterson—7.

So the amendments were concurred in.

House File No. 411, a bill for an act to amend Title Five (5), Chapter Nine (9) of the Code and amendments thereto, relating

to Park Commissioners, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee, with substitute as amended, adopted.

Senator Moon moved the adoption of the following committee amendment:

Amend by inserting a period after the word "election" in the thirteenth line of Section Two (2), following the word "such," and by striking out from said section, following the word "election," the words "provided, however, that nothing in this section shall apply to such municipalities that have heretofore established a park commission."

Amend Section Five (5) by inserting after the word "parks" in line seven of said section the words "and paving streets adjacent thereto."

Amend Section Fifteen (15) by striking therefrom the period after the word "repealed" in the last line of said section, and by adding to said section the following: "but nothing in this act shall be construed as affecting the tenure of office of park commissioners heretofore elected in cities or towns heretofore having a park commissioner."

Adopted.

The bill as amended was read for information.

Senator Moon moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeWolf, Eckles, Elerick, Ericson, Foley, Gillilland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—41.

The nays were:

None.

Absent or not voting:

Senators DeArmand, Dowell, Dunham, Frudden, Gale, Maytag, Peterson, Stookey, Young—9.

So the bill having a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Crossley offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

Be It Resolved by the Senate, the House concurring, That a joint convention be held in the House chamber on Friday, April 5, 1907, at 11:30 o'clock A.M. for the purpose of electing regents for the State University, trustees for the College of Agriculture and Mechanic Arts, and trustees for the State Normal School, and for the transaction of such other business as may come before the joint convention.

Adopted.

The Journal of yesterday was taken up, corrected and approved.

The President announced that he had a communication from the Governor that would require an executive session.

Senator Saunders moved that the Senate do now go into executive session.

Carried.

Senate went into executive session.

The President laid before the executive session the following communication:

To the Senate of the Thirty-second General Assembly:

Subject to the advice and consent of the Senate, I have appointed the following persons to constitute a Board of Parole, and designate their terms of office, namely:

W. H. Berry of Indianola for two years;

J. M. Emmert of Atlantic for four years;

P. A. Smith of Scranton for six years.

Respectfully submitted,

ALBERT B. CUMMINS.

April 4, 1907.

The President referred the appointment to a committee, who reported in favor of the confirmation.

On a call of the roll, a majority of the Senators voting for confirmation, the nominations were consented to and confirmed.

Senate resumed regular session.

Senator Smith of Mitchell moved that the Senate do now adjourn until 1:30 o'clock P. M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P.M. President Garst presiding.

Senator Dowell was called to the chair at 1:35 o'clock.

The Chair announced as conference committee on House File No. 379: Senators Hopkins, Peterson, Saunders and Stirton.

THIRD READING OF BILLS.

Senate File No. 20, a bill for an act to repeal Chapter Five (5) of Title Nine (9) of the Code, and enact a substitute therefor, was taken up and considered.

Senator Bleakly moved that the Senate concur in the following House amendments:

Amend by striking out of Section Nine (9) in the fourth line the words "dwelling houses, barns, farm buildings and their contents" and inserting in lieu thereof the words "farm and dwelling property, churches and school houses."

Amend Section Eleven (11) by inserting between the words "association" and "are" in the first line the following words: "required to maintain a reinsurance reserve."

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Frudden, Hopkins, Hughes, Kimmel, Kinne, Lambert, Maytag, Moon, Nichols, Seeley, Smith of Des Moines, Stookey, Stuckslager, Taylor, Wade, Warren, Whiting, Wilson of Clinton—27.

The nays were:

None.

Absent or not voting :

Senators Bruce, Burgess, Clark, Crossley, Dunham, Foley, Gale, Gilliland, Jamieson of Page, Jamison of Clarke, McKlveen, McManus, Mattes, Newberry, Peterson, Saunders, Smith of Mitchell, Stirton, Turner, Whipple, Wilson of Fayette, Young—23.

So the House amendments were concurred in.

House File No. 171, a bill for an act to amend Section Thirteen Hundred and Seventy-three (1373) of the Code, relating to the correction of erroneous assessments, was taken up and considered.

Senator Gilliland moved to adopt the report of the conference committee on House File No. 171, and also to adopt and include in the bill the amendments recommended by said committee.

On the question, "Shall the report of the conference committee be adopted?"

The yeas were :

Senators Bleakly, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jamison of Clarke, Jones, Kimmel, Kinne, Maytag, Moon, Nichols, Saunders, Seeley, Smith of Des Moines, Stookey, Taylor, Turner, Wade, Warren, Whiting, Wilson of Fayette, Wilson of Clinton, Young—34.

The nays were :

None.

Absent or not voting :

Senators Allen, Bruce, Dunham, Gale, Jackson, Jamieson of Page, Lambert, McKlveen, McManus, Mattes, Newberry, Peterson, Smith of Mitchell, Stirton, Stuckslager, Whipple—16.

So the conference committee report was adopted.

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. 476, a bill for an act to repeal the law as it appears in Section Twenty-four Hundred and Three (2403) of the Code, and Section Twenty-four Hundred and Three (2403) of the Supplement to the Code, and to enact a substitute therefor, relating to the selling or giving of intoxicating liquors to minors, intoxicated persons, or to persons in the habit of becoming intoxicated.

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. 475, a bill for an act to amend Section Two Hundred and Eighty-one (281) of the Code, relative to judges not to practice.

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. 461, a bill for an act to create a State Board of Osteopathic Examiners, and to provide for the registration of those entitled to practice osteopathy and for the regulation and practice thereof, and providing penalties for the violation hereof.

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. 459, a bill for an act to provide for the appointment of a committee to investigate the needs of the three State educational institutions, and furnish a report to the General Assembly.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House File No. 476, a bill for an act to repeal the law as it appears in Section Twenty-four Hundred and Three (2403) of the Code, and Section Twenty-four Hundred and Three (2403) of the Supplement to the Code, and to enact a substitute therefor, relating to the selling or giving of intoxicating liquors to minors, intoxicated persons, or to persons in the habit of becoming intoxicated.

Read first and second time and referred to Sifting Committee.

House File No. 475, a bill for an act to amend Section Two Hundred and Eighty-one (281) of the Code, relative to judges not to practice.

Read first and second time and referred to Sifting Committee.

House File No. 461, a bill for an act to create a State Board of Osteopathic Examiners, and to provide for the registration of those entitled to practice osteopathy, and for the regulation of the practice thereof, and providing penalties for the violation hereof.

Read first and second time and referred to Sifting Committee.

House File No. 459, a bill for an act to provide for the appointment of a committee to investigate the needs of the three State educational institutions, and furnish a report to the General Assembly.

Read first and second time and referred to Sifting Committee.

Senator Gilliland moved that the Senate take a recess until called to order by the chair.

Carried.

The President called the Senate to order.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker of the House names as conference committee on part of the House on House File No. 379, a bill for an act to prohibit common carriers from issuing, furnishing or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation, or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act; also for annual reports, and for the repeal of Chapter Ninety (90), laws of the Thirty-first General Assembly: Grier of Poweshiek, Van Houten of Taylor, Moore of Linn and Stillman of Greene.

C. R. BENEDICT,
Chief Clerk.

Senator Hughes moved that the Senate take a recess until called to order by the chair.

Carried.

Senate was called to order by Senator Dowell.

Senator Saunders moved that a committee of three be appointed to draft suitable resolutions respecting the life and public services of the late Hon. G. F. Wright of Pottawattamie county, a former member of this body.

Carried.

Senate File No. 241, a bill for an act to amend Section One (1) of Chapter Eighty-nine (89) of the laws of the Thirty-first General Assembly, relating to actions against joint carriers, 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, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunhahm, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuekslager, Taylor, Turner, Wilson of Fayette, Young—41.

The nays were:

None.

Absent or not voting:

Senators Gale, Jamison of Clarke, McManus, Mattes, Wade, Warren, Whipple, Whiting, Wilson of Clinton—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senate Joint Resolution No. 5, for the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate, was taken up and considered.

Senator Whipple moved that the Senate concur in the following House amendment:

Amend by striking out the word "two" in first line of the bill and insert the word "three"; also strike out the word "one" in second line and insert the word "three."

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Young—43.

The nays were:

None.

Absent or not voting:

Senators Elerick, Jones, McManus, Mattes, Smith of Mitchell, Wade, Wilson of Clinton—7.

So the House amendments were concurred in.

Senate File No. 370, a bill for an act to legalize the election of the town council of the incorporated town of Belmond, Wright county, Iowa, and all the acts thereof during the last ten years, was taken up and considered.

Senator Peterson moved that the rule by which no bill shall be read second and third time in the same day, be suspended.

Carried.

The bill was read for information.

Senator Peterson moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeWolf, Dow-

ell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeArmand, McKlveen, Wade, Smith of Mitchell—5.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

House File No. 404, a bill for an act to amend Section One Thousand Five Hundred and Thirty (1530) of the Supplement to the Code, relating to county road fund and how it is paid out, with report of committee recommending passage as amended, 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 inserting after the word "amend" and before the word "section" in the first line thereof the words "the law as it appears in"; further amend the title by inserting between the word "is" and the word "paid" in the third line thereof the words "to be."

Amend Section One (1) by inserting after the word "be" and before the word "amended" in the third line thereof the words "and the same is hereby"; further amend by striking the last three lines from Section One (1) of the bill.

Adopted.

The bill as amended was read for information.

Senator Saunders 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:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, De-

Armand, DeWolf, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—44.

The nays were:

None.

Absent or not voting:

Senators Dowell, McKlveen, Peterson, Smith of Mitchell, Turner, Warren—6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

The chair appointed as committee on part of the Senate to purchase chair and gavel for the President of the Senate and Speaker of the House: Senators Turner, Hopkins and DeArmand.

The chair appointed as committee to prepare resolutions respecting the life and public services of the late Hon. G. F. Wright: Senators Saunders, Jamison of Clarke, and Jackson.

House File No. 338, a bill for an act to amend Chapter One Hundred and Twenty (120), laws of the Thirty-first General Assembly, relating to the State sanatorium at Iowa City, further defining the duties of the Board of Control regarding tuberculosis, and making additional appropriations, 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 the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley.

Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Young—45.

The nays were:

None.

Absent or not voting:

Senators Jamison of Clarke, McManus, Smith of Mitchell, Wilson of Fayette, Wilson of Clinton—5.

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. 439, a bill for an act to repeal Section Twenty-seven Hundred and Forty-seven (2747) of the Code, and to enact a substitute therefor, relating to qualified electors and the right to vote at school 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 House was asked:

House File No. 361, a bill for an act to authorize and direct Boards of Supervisors in the State of Iowa, in counties adjoining and bordering upon the state line to meet the authorities in control and charge of the public highways in adjoining counties of other states, and agree upon and assign the portion or part of each public highway upon the state line between such states to be kept in repair by the authorities in the State of Iowa and such other states.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker of the House names as conference committee on part of the House on House File No. 49, 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: Jones of Montgomery, Beery of Henry, Marston of Cerro Gordo, Arney of Marshall.

C. R. BENEDICT,
Chief Clerk.

Senate File No. 275, a bill for an act to amend Sections Three (3) and Four (4) of Chapter Three (3) of the acts of the Thirty-first General Assembly, relating to printing, binding and distribution of State reports and documents, was taken up and considered.

Senator Lambert moved that the Senate concur in the following House amendment:

Amend by inserting at the end of Section One (1) the following: "That said section be further amended by striking out the word "two" in the twenty-second line and inserting in lieu thereof the word "four."

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Moon, Newberry, Nichols, Seeley, Smith of Des Moines, Stirton, Stookey, Stuekslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Young—40.

The nays were:

None.

Absent or not voting:

Senators Frudden, Hopkins, Jamieson of Page, Jamison of Clarke, McManus, Maytag, Peterson, Saunders, Smith of Mitchell, Wilson of Clinton—10.

So the House amendments were concurred in.

House File No. 341, a bill for an act to repeal Section Seventeen Hundred and Seventy-four (1774) of the Code, relating to valuation of policies of life insurance companies, and to enact a substitute therefor, was taken up and considered.

Senator Jamison of Clarke moved that the Senate insist on its amendments to the bill.

Carried.

Senator Jamison of Clarke moved that a conference committee be appointed.

Carried.

Senate File No. 364, a bill for an act to enable the State of Iowa to sell and dispose of all unclaimed lands within the former channel of the Des Moines river and formed by accretions in consequence of the changes of the channel of such river, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Moon moved the adoption of the following amendment:

I move to amend the title of said bill by striking therefrom the word "all" between the word "of" and the word "unclaimed" in the first line thereof and inserting in lieu thereof the word "certain."

Adopted.

Senator Moon moved the adoption of the following amendment:

I move to amend by inserting after the word "river" in the second line of Section One (1) of said bill the following words: "within the corporate limits of the city of Ottumwa."

Adopted.

Senator Moon moved the adoption of the following amendment:

I move to amend by striking out from the third and fourth lines in Section One (1) of said bill the following words: "has not become vested in any riparian owner of land along said stream," and by inserting in lieu thereof the words "is now or shall become vested in the State by judicial determination."

Adopted.

The bill, as amended, was read for information.

The President resumed the chair at 3:20 o'clock.

Senator Moon moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson,

Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Young—44.

The nays were:

None.

Absent or not voting:

Senators McManus, Newberry, Smith of Mitchell, Stuckslager, Taylor, Wilson of Clinton—6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

The President appointed as conference committee on House File No. 341: Senators Bleakly, Jamison of Clarke, Jackson and Young.

Senator Stookey called up the concurrent resolution relative to final adjournment and moved to amend by striking out "Friday, April 5th," and insert in lieu thereof the words and figures: "Saturday, April 6th."

Carried.

Senator Stookey moved the adoption of the concurrent resolution as amended.

Carried.

Senator Stookey filed the following motion:

I move to reconsider the vote by which the concurrent resolution to adjourn sine die was adopted.

MARION F. STOOKEY.

Senator Gilliland moved that the Senate do now adjourn.

The motion was lost.

The motion of Senator Stookey to reconsider the vote by which the concurrent resolution relative to final adjournment prevailed was lost.

Senator Jamison of Clarke moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A. M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, FRIDAY, APRIL 5, A. D, 1907.

Senate met in regular session at 9 o'clock A. M., President Garst presiding.

Prayer was offered by the Rev. Elijah Brown Jones of Marshalltown.

Senator Newberry offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

Be It Resolved by the Senate, the House Concurring, That the Secretary of State is hereby authorized to have published in pamphlet form for general distribution five thousand (5,000) copies of the pure food law, as amended; three thousand (3,000) copies of the law relating to stock-foods and seeds; and three thousand (3,000) copies of the paint law; each with explanatory notes to be prepared by the Food and Dairy Commissioner; also five thousand (5,000) copies of the law pertaining to pharmacy and drugs, with explanatory notes to be prepared by the Pharmacy Commission.

Adopted.

PETITIONS AND MEMORIALS.

Senator Dunham presented the following memorial of Lenox College of Hopkinton, Iowa:

To the Honorable the Members of the Senate of the Thirty-second General Assembly of the State of Iowa:

Gentlemen:

WHEREAS, Lenox College at Hopkinton, Delaware county, Iowa, sent her president and ninety-two of her students (all but one) into the Civil war, twenty-eight of whom, including the president, fell in the service of the nation; and,

WHEREAS, Immediately upon the close of the war a handsome monument was erected on the college campus in honor of this patriotic service, which has been found by the State Auditor to be the oldest, by a period of eighteen months, of any monument of its kind in the State of Iowa: and,

WHEREAS, Lenox College has reached the fiftieth milestone in her history and is arranging to celebrate the occasion in connection with the coming commencement week; and,

WHEREAS, One day in connection with this celebration has been set apart as a National day and speakers of national distinction are being secured to pay tribute to the remarkable service which Lenox College rendered to the nation in the time of her greatest peril; therefore,

We respectfully solicit the presence of the members of your honorable body to participate in the exercises of this day, thus giving recognition to the worth of true patriotism.

Very respectfully submitted,

E. E. REED,

President of Lenox College.

Senator Dunham moved that the invitation be accepted and that a committee of five be appointed to represent the Senate on this occasion.

Carried.

The President appointed as such committee: Senators Newberry, Stirton, Eckles, Hughes and Dunham.

HOUSE MESSAGES CONSIDERED.

Speaker of the House names as conference committee on part of the House on House File No. 379, a bill for an act to prohibit common carriers from issuing, furnishing or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free ticket, free passes, free transportation or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act, also for annual reports and for the repeal of Chapter Ninety (90), laws of the Thirty-first General Assembly: Grier of Poweshiek, Van Houten of Taylor, Moore of Linn and Stillman of Greene.

Passed on file.

House File No. 439, a bill for an act to repeal Section Two Thousand Seven Hundred and Forty-seven (2747) of the Code, and to enact a substitute therefor, relating to qualified electors and the right to vote at school elections.

Read first and second time and referred to Sifting Committee.

Substitute for Senate File No. 361, a bill for an act to authorize and direct Boards of Supervisors in the State of Iowa in counties

adjoining and bordering upon the state line to meet the authorities in control and charge of the public highways in adjoining counties of other states and agree upon and assign the portion or part of each public highway upon the state line between such states to be kept in repair by the authorities in the State of Iowa and such other states.

Passed on file.

Speaker of the House names as conference committee on part of the House on House File No. 49, a bill for an act providing for a uniform policy to be used in all fire insurance companies doing business in the State of Iowa: Jones of Montgomery, Beery of Henry, Marston of Cerro Gordo, Arney of Marshall.

Passed on file.

REPORTS OF COMMITTEE.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred substitute for Senate File No. 26, a bill for an act to amend Chapter One Hundred Forty-two (142), laws of the Thirty-first General Assembly, and increasing the appropriation for carrying its purposes into effect, beg leave to report that they have had the same under consideration and recommend that the same do pass.

F. L. MAYTAG,
Chairman.

Adopted.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 100, a bill for an act making appropriations for the State Normal School, beg leave to report that they have had the same under consideration and recommend that the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR HOUSE FILE NO. 100.

A BILL for an act making appropriations for 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, the sum of Twenty-three Thousand (\$23,000) Dollars for the following purposes:

For support of library.....	\$10,000.00
For librarians' salaries.....	8,000.00
For paving, permanent walks, and improve- ment of grounds.....	5,000.00

The sums as mentioned in this section shall be paid upon the order of the board of trustees of the State Normal School, to be paid quarterly, but not more than one-half thereof shall be paid before July 1, 1907.

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 Capital, newspapers published in Des Moines, Iowa.

And when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Adopted.

The substitute was read first and second time and passed on file.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 458, a bill for an act to instruct the Attorney-General to investigate the operations of the International Harvester Company, with a view to prosecution, and making an appropriation therefor, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 315, a bill for an act to provide for agricultural extension work and for a correspondence school of agriculture by the Iowa State College of Agriculture and Mechanic Arts and making appropriations therefor, beg leave to report that they have had the same under consideration and recommend that the same be amended as follows:

By striking out in Section Three (3), line four the words and figures "Thirty Thousand (\$30,000) Dollars" and insert in lieu thereof the words and figures "Twenty-seven Thousand (\$27,000) Dollars"; also amend Section Three (3) by striking out in lines five and six the words and figures "and for the correspondence work the sum of Ten Thousand (\$10,000) Dollars annually."

Amend Section One (1) by striking out in lines seven and eight the words "agricultural extension department" and insert in lieu thereof the words "college authorities"; also strike out in line ten the words "said department is" and insert in lieu thereof the words "college author-

ities are"; also strike out in line seventeen the words "agricultural extension department" and insert in lieu thereof the words "college authorities."

Amend Section Two (2) by striking out in lines one and two the words "said department of agricultural extension" and insert in lieu thereof the words "college authorities are"; also strike out in line three the word "it" and insert in lieu thereof the word "they."

Amend the title by striking out in lines one and two the words "and for a correspondence school of agriculture."

And when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Adopted.

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. 124, a bill for an act to establish an Industrial Reformatory for Females, to make appropriations therefor, and to provide for the transfer of inmates to and from the Industrial School for Girls.

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. 483, a bill for an act to legalize the acts of the town council of Bayard, Guthrie county, Iowa, votes of the electors thereof, and irregularities in a certain election held on March 25, 1907.

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. 484, a bill for an act to reimburse George S. Mornin and Guy A. Feely for expenses incurred in the election contest from the Sixty-sixth Representative district of Iowa, and to pay sundry persons for services, per diem, mileage, and expenses, rendered and incurred in connection with said election contest.

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. 355, a bill for an act authorizing any interurban or other railway company to acquire a right of way for an interurban or other railway over and across the lands of the Iowa State Hospital for the Insane at Mount Pleasant, Henry county, Iowa, and authorizing the Executive Council to fix the terms and conditions 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. 106, a bill for an act relating to fish and game, and making appropriation for the Fish and Game Commission of the State of Iowa, and for the extension of the State dam and dykes at Wall 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. 152, a bill for an act to repeal Sections Twenty-eight Hundred and Fifty-five (2855) of the Code Supplement, and Twenty-eight Hundred and Nine (2809) of the Code, and to enact substitutes therefor, and to amend Sections Twenty-eight Hundred and Eight (2808) of the Code Supplement and Twenty-eight Hundred and Fifty (2850) of the Code, relating to the handling of the principal and interest of the permanent school fund.

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. 207, a bill for an act to empower the State Educational Board of Examiners to issue State certificates to graduates of higher institutions of learning.

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. 252, a bill for an act to pay the expenses of J. W. Cliff in his contest for the office of Secretary of the Senate of the Twenty-fourth 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. 326, a bill for an act to legalize certain ordinances and amendments to the ordinances passed by the city council of Tama, Tama county, Iowa, and to legalize all of the official acts of the city officials of Tama, Tama county, Iowa, acting as such under said ordinances and amendments.

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. 198, a bill for an act to amend Section One (1), Chapter Twenty-one (21) of the acts of the Thirtieth General Assembly, relating to the compensation of County Recorders.

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. 330, a bill for an act relating to the sale of intoxicants in the vicinity of military reservations, and providing a penalty for the violation thereof.

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. 248, a bill for an act to amend Sections One Hundred and Fifty-six (156) and One Hundred and Fifty-seven (157) of the Code, relating to the election and duties of the secretary of the Executive Council and defining the duties of said secretary, and to amend Section One Thousand Three Hundred and Seventy-eight (1378) and One Thousand Three Hundred and Eighty-two (1382) 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. 127, a bill for an act to amend Chapter One (1), Title Nine (9) of the Code relating to corporations for pecuniary profit and to provide a method for the approval of articles of incorporation.

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:

Substitute for Senate File No. 167, a bill for an act to make the law as it appears in Sections One Thousand Three Hundred and Eighty-nine-a (1389-a), One Thousand Three Hundred and Eighty-nine-b (1389-b), One Thousand Three Hundred and Eighty-nine-c (1389-c) and One Thousand Three Hundred and Eighty-nine-d (1389-d) of the Supplement to the Code, in relation to the keeping of a record of delinquent taxes, applicable 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 bill, in which the concurrence of the House was asked:

Senate File No. 272, a bill for an act additional to and amendatory of the law as it appears in Title Fourteen (14) of the Code, relative to rights of property and the conveyance thereof.

C. R. BENEDICT.
Chief Clerk.

THIRD READING OF BILLS.

Substitute for Senate File No. 26, a bill for an act to amend Chapter One Hundred and Forty-two (142), laws of the Thirty-first General Assembly, and increasing the appropriation for carrying its purposes into effect, was taken up and read a first and second time.

Senator Gilliland was called to the chair at 9:25 o'clock.

Senator Maytag moved that the substitute be substituted for the original bill.

Carried.

Senator Maytag moved that the rules by which no bill shall be read a second and third time on the same day be suspended.

Carried.

Senator Maytag moved that the rule be suspended, the bill be considered engrossed and read a third time now which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly Bruce, Burgess, Clark, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gil-

lilland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Stookey, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were :

None.

Absent or not voting :

Senators Allen, DeArmand, Gale, Jamieson of Page, Jamison of Clarke, McKlveen, Saunders, Smith of Mitchell, Stirton, Stueckslager—10.

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. 100, a bill for an act making appropriations for the State Normal School, was taken up and read a first and second time, and the report of the committee, recommending passage as amended by substitute, was adopted.

Senator Maytag moved that the committee substitute be substituted for the original bill.

Carried.

Senator Maytag moved that the rules by which no bill shall be read a second and third time on the same day be suspended.

Carried.

Senator Maytag moved that the rule be suspended and the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were :

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—46.

The nays were:

None.

Absent or not voting:

Senators Gale, Jamison of Clarke, Smith of Mitchell, Stuckslager—4.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senate File No. 357, a bill for an act making appropriation to the Iowa State College of Agriculture and Mechanic Arts, was taken up and considered.

The bill was read for information.

Senator Maytag moved the adoption of the following amendment:

Amend Section One (1) by striking out in the third line the words and figures "Fifteen Thousand (\$15,000) Dollars" and insert in lieu thereof the words and figures "Twenty Thousand (\$20,000) Dollars."

Adopted.

The bill as amended was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, McIlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were:

None.

Absent or not voting:

Senators Crossley, Frudden, Jamieson of Page, Jamison of Clarke, Smith of Mitchell, Stookey, Stuckslager—7.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senate File No. 358, a bill for an act making appropriation for the State University of Iowa, was taken up and considered.

Senator Maytag moved the adoption of the following amendment.

Amend Section One (1) by striking out in lines two and three the words and figures "Twenty Thousand (\$20,000) Dollars" and insert in lieu thereof the words and figures "Thirty-five Thousand (\$35,000) Dollars."

Adopted.

Senator DeArmand moved the adoption of the following amendment:

Change the figures in the ninth line of the original bill relative to equipment of new science hall, etc., from "\$25,000" to "\$45,000."

Senator Saunders moved the adoption of the following amendment to the amendment:

Change the figures "\$45,000" to "\$35,000."

Senator Jones moved the previous question on the amendment and the amendment to the amendment.

Carried.

The amendment to the amendment was lost.

On the adoption of the amendment of Senator DeArmand, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Allen, Bruce, Crossley, DeArmand, DeWolf, Eckles, Ericson, Gale, Gilliland, Hughes, Jamison of Clarke, Jones, McManus, Moon, Newberry, Saunders, Smith of Des Moines, Stookey, Stuckslager, Wade, Warren, Whiting—22.

The nays were:

Senators Bleakly, Burgess, Clark, Dowell, Dunham, Elerick, Foley, Frudden, Hopkins, Jackson, Kinne, Mattes, Maytag, Nichols, Peterson, Seeley, Smith of Mitchell, Stirton, Taylor, Turner, Whipple, Wilson of Fayette, Wilson of Clinton, Young—24.

Absent or not voting:

Senators Jamieson of Page, Kimmel, Lambert, McKlveen—4.

So the amendment was lost.

EXPLANATION OF VOTE.

I vote "no" because to do otherwise would be to show an unjust discrimination against our other educational institutions and an uncalled for criticism of the actions of the Appropriations Committee.

W. B. SEELEY.

The bill was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, McKlveen, McManus, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuecklager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—45.

The nays were:

None.

Absent or not voting:

Senators Jamieson of Page, Jamison of Clark, Lambert, Moon, Smith of Mitchell—5.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senate File No. 360, 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, was taken up and considered.

Senator Maytag moved the adoption of the following amendment:

Amend Section Eleven (11) by adding thereto the following: "of the amount appropriated for the erection of an infirmary and the purchase of equipment therefor, the sum of Twenty-five Thousand (\$25,000.00) Dollars shall be available July 1, 1908, and the remainder shall be available January 1, 1909."

Adopted.

Senator Maytag moved the adoption of the following amendment:

Amend Section Thirteen (13) by adding thereto the following: "for an infirmary and equipment the sum of One Hundred Twenty-five Thousand (\$125,000) Dollars, the sum of Twenty-five Thousand Dollars (\$25,000) shall be available July 1, 1908, and the remainder shall be available January 1, 1909."

Adopted.

The bill as amended was read for information.

Senator Maytag moved that the rule be suspended, 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, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frud-den, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Young—44.

The nays were:

None.

Absent or not voting:

Senators Allen, Gale, Moon, Stookey, Warren, Wilson of Clinton—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 adopted concurrent resolution in relation to joint

session for the purpose of electing regents, etc., fixing the time for 7:30 P.M.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

House has amended and adopted Senate concurrent resolution relative to joint session for the purpose of electing regents, etc.

Senator Crossley moved that the Senate concur in the House amendment to concurrent resolution.

Adopted.

THIRD READING OF BILLS.

House File No. 315, a bill for an act to provide for agricultural extension work and for a correspondence school of agriculture by the Iowa State College of Agriculture and Mechanic Arts, and making appropriation therefor, was taken up and considered.

Senator Maytag moved the adoption of the following committee amendment:

Amend by striking out in Section Three (3), line four, the words and figures "Thirty Thousand (\$30,000) Dollars" and insert in lieu thereof the words and figures "Twenty-seven Thousand (\$27,000) Dollars"; also amend Section Three (3) by striking out in lines five and six the words and figures "and for the correspondence work, the sum of Ten Thousand (\$10,000) Dollars annually."

Adopted.

Senator Maytag moved the adoption of the following amendment:

Amend Section One (1) by striking out in lines seven and eight the words "agricultural extension department" and insert in lieu thereof the words "college authorities"; also strike out in line ten the words "said department is" and insert in lieu thereof the words "college authorities are"; also strike out in line seventeen the words "agricultural extension department" and insert in lieu thereof the words "college authorities."

Adopted.

Senator Maytag moved the adoption of the following committee amendment:

Amend Section Two (2) by striking out in lines one and two the words "said department of agricultural extension" and insert in lieu thereof the words "college authorities"; also strike out in line three the word "it" and insert in lieu thereof the word "they."

Adopted.

Senator Maytag moved the adoption of the following committee amendment:

Amend the title by striking out in lines one and two the words "and for a correspondence school of agriculture."

Adopted.

The bill was read for information.

The President resumed the chair at 11:05 o'clock.

Senator Maytag moved that the rule be suspended, and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eekles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—43.

The nays were:

None.

Absent or not voting:

Senators Gale, Hopkins, Jamieson of Page, Jamison of Clarke, Peterson, Saunders, Stuckslager—7.

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. 124, a bill for an act to establish an Industrial Reformatory for Females, to make appropriations therefor, and to provide for the transfer of inmates to and from the Industrial School for Girls.

Read first and second time and referred to Committee on Appropriations.

House File No. 483, a bill for an act to legalize the acts of the town council of Bayard, Guthrie county, Iowa, votes of the electors thereof, and irregularities in a certain election held on March 25, 1907.

Read first and second time and referred to Sifting Committee.

House File No. 484, a bill for an act to reimburse George S. Mornin and Guy A. Feely for expenses incurred in the election contest from the Sixty-sixth Representative district of Iowa, and to pay sundry persons for services, per diem, mileage, and expenses rendered and incurred in connection with said election contest.

Read first and second time and referred to Committee on Appropriations.

Substitute for Senate File No. 355, a bill for an act authorizing any interurban or other railway company to acquire a right of way for an interurban or other railway over and across the lands of the Iowa State Hospital for the Insane at Mt. Pleasant, Henry county, Iowa, and authorizing the Executive Council to fix the terms and conditions thereof.

Passed on file.

Senate File No. 106, a bill for an act relating to fish and game, and making appropriation for the Fish and Game Commission of the State of Iowa, and for the extension of the State dam and dykes at Wall Lake.

Passed on file.

Senate File No. 152, a bill for an act to repeal Sections Twenty-eight Hundred and Fifty-five (2855) of the Code Supplement, and Twenty-eight Hundred and Nine (2809) of the Code, and to enact substitutes therefor, and to amend Sections Twenty-eight Hundred and Eight (2808) of the Code Supplement and Twenty-eight Hundred and Fifty (2850) of the Code, relating to the handling of the principal and interest of the permanent-school fund.

Passed on file.

Senate File No. 207, a bill for an act to empower the State Educational Board of Examiners to issue State certificates to graduates of higher institutions of learning.

Passed on file.

Substitute for Senate File No. 252, a bill for an act to pay the expenses of J. W. Cliff in his contest for the office of Secretary of the Senate of the Twenty-fourth General Assembly.

Passed on file.

Senate File No. 326, a bill for an act to legalize certain ordinances and amendments to the ordinances passed by the city council of Tama, Tama county, Iowa, and to legalize all of the official acts of the city officials of Tama, Tama county, Iowa, acting as such under said ordinances and amendments.

Passed on file.

House has amended and passed Senate File No. 198, a bill for an act to amend Section One (1), Chapter Twenty-one (21) of the acts of the Thirtieth General Assembly, relating to the compensation of County Recorders.

Passed on file.

House has amended and passed Senate File No. 330, a bill for an act relating to the sale of intoxicants in the vicinity of military reservations, and providing a penalty for the violation thereof.

Passed on file.

House has indefinitely postponed Senate File No. 248, a bill for an act to amend Sections One Hundred and Fifty-six (156) and One Hundred and Fifty-seven (157) of the Code, relating to the election and duties of the secretary of the Executive Council and defining the duties of said secretary, and to amend Sections One Thousand Three Hundred and Seventy-eight (1378) and One Thousand Three Hundred and Eighty-two (1382) of the Code.

Passed on file.

House has indefinitely postponed Senate File No. 127, a bill for an act to amend Chapter One (1), Title Nine (9) of the Code, relating to corporations for pecuniary profit, and to provide a method for the approval of articles of incorporation.

Passed on file.

House has indefinitely postponed substitute for Senate File

No. 167, a bill for an act to make the law as it appears in Sections One Thousand Three Hundred Eighty-nine-a (1389-a), One Thousand Three Hundred and Eighty-nine-b (1389-b), One Thousand Three Hundred Eighty-nine-c (1389-c), and One Thousand Three Hundred and Eighty-nine-d (1389-d) of the Supplement to the Code, in relation to the keeping of a record of delinquent taxes, applicable to cities acting under special charter.

Passed on file.

Senate File No. 272, a bill for an act additional to and amendatory of the law as it appears in Title Fourteen (14) of the Code, relative to rights of property and the conveyance thereof.

Passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 14, a bill for an act to prohibit the corrupt influencing of agents, representatives, employes, officers of a private corporation, or public officers acting in behalf of a principal in any business transaction, and provide a penalty therefor.

Also:

House File No. 42, a bill for an act to repeal Section Four Hundred and Twelve (412) of the Code, and to enact a substitute therefor, relating to the time of holding meetings of the Board of Supervisors.

Also:

House File No. 252, a bill for an act to repeal Section Twenty-eight Hundred Fourteen (2814) of the Code, and enact a substitute therefor, relative to the acquisition of school sites.

Also:

House File No. 281, a bill for an act to appropriate not to exceed Seven Thousand Five Hundred Dollars (\$7,500) annually for experiment in animal breeding and feeding.

Also:

House File No. 333, a bill for an act to amend Sections One Hundred and Fifty-six (156) and One Hundred and Fifty-seven of the Code, relating to the election and duties of the secretary of the Executive Council and defining the duties of said secretary, and to amend Section Thirteen Hundred Seventy-eight (1378) and Thirteen Hundred Eighty-two (1382) of the Code.

Also:

House File No. 396, a bill for an act defining bucket shop and bucket shopping, making it a crime to maintain and operate the same and providing penalties for so doing.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

The President announced that he had signed, in the presence of the Senate, House Files No. 14, 42, 252, 333, and 396.

Senator Maytag, from the Committee on Appropriations, submitted the following statement:

STATEMENT OF ESTIMATED RECEIPTS AND EXPENDITURES FOR TWO YEARS.

Appropriations passed and recommended by Senate Committee. \$1,641,500

Fixed expenditures and estimated expense of administration
for two years—

Sundry smaller items.....	\$ 795,300	
Auditor of State.....	75,000	
Board of Control, salary and expense.....	55,000	
District Judges' salaries.....	385,000	
Expenses Thirty-second General Assembly.....	137,000	
Militia	170,000	
Miscellaneous expense	131,000	
Supreme Court, salary and expense.....	85,000	
State printing	86,000	
State University support.....	426,000	
State school support.....	239,000	
State Agricultural College support.....	382,000	
Support of State institutions under Board of Control..	3,100,000	
Unexpended balances institution accounts.....	373,000	
Unexpended balance of general appropriations.....	355,000	
Support of tuberculosis hospital for twenty months..	60,000	
		6,854,300
		<u>\$8,495,800</u>

Estimated receipts for two years—

Balances on hand.....	\$ 731,826
Taxes from insurance companies.....	600,000
Refund from counties, account State institutions....	1,020,000
Fees from State officers and boards.....	550,000
Freight line and transportation companies.....	10,000
Refunds from State institutions.....	220,000
Interest on deposits.....	30,000
Collateral inheritance tax.....	350,000
Federal aid of Soldiers' Home.....	130,000
Miscellaneous sources	30,000
Interest on delinquent taxes.....	20,000

Three mill levy for two years.....	3,880,000	
Estimated receipts from corporation tax law, if passed	100,000	
Estimated receipts from direct inheritance law, if passed	50,000	
Unexpended balances of appropriations made at end of two years	200,000	
		7,921,826
		\$ 573,974

From this statement it will be seen that after allowing Two Hundred Thousand (\$200,000) Dollars for unexpended balances at the end of the biennial period, estimating the receipts under the corporation tax law and the direct inheritance law, neither of which have passed both houses, it will be necessary to increase the levy above three mills, a sufficient amount to raise Five Hundred Seventy-three Thousand Nine Hundred Seventy-four (\$573,974) Dollars.

Senator Frudden moved that the statement made by the chairman of the Appropriations Committee pertaining to the estimated receipts and disbursements for the next biennial period be printed in the Journal.

Carried.

House File No. 468, a bill for an act authorizing cities having a population of sixty thousand or over to erect a city hall, to purchase the necessary ground therefor, and to levy a special tax for the purpose of paying for the same, and repealing Chapter Twenty-seven (27) of the laws of the Thirtieth General Assembly, was taken up and considered.

Senator Dowell moved the adoption of the following committee amendments:

Move to strike out Section Six (6) of the bill and that Sections Seven (7) and Eight (8) be renumbered Six (6) and Seven (7), respectively.

Adopted.

Senator Dowell moved the adoption of the following amendments:

Move to amend the title to the bill by striking out after the word "cities" in the first line thereof the following: "of the first class and cities under special charter having a population of fifteen thousand (15,000) or over," and by inserting in lieu thereof the following: "having a population of fifty thousand (50,000) or over."

Adopted.

Senator Dowell moved the adoption of the following amendments:

Move to strike out after the word "cities" in the first line of Section One (1) the following: "of the first class and cities under special charter having a population of fifteen thousand (15,000) or over," and by inserting in lieu thereof the following: "having a population of fifty thousand (50,000) or over."

Adopted.

The bill as amended was read for information.

Senator Dowell moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were :

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne Lambert, McKlveen, Mattes, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were :

None.

Absent or not voting :

Senators DeArmand, Frudden, Jamieson of Page, Jamison of Clarke, McManus, Maytag, Moon, Stookey, Stuckslager, Turner—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 File No. 281.

Senator Ericson moved that when the Senate adjourn it be until 1 o'clock P. M.

Senator Smith of Mitchell moved to amend by changing the time from 1 o'clock to 2 o'clock P. M.

The amendment prevailed.

The motion as amended prevailed.

House File No. 476, a bill for an act to repeal the law as it appears in Section Twenty-four Hundred and Three (2403) of the Code and Section Twenty-four Hundred and Three (2403) of the Supplement to the Code, and to enact a substitute therefor, relating to the selling or giving of intoxicating liquors to minors, intoxicated persons, or to persons in the habit of becoming intoxicated, was taken up and considered.

The bill was read for information.

Senator Whipple moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gale, Gilliland, Hughes, Kimmel, Kinne, Lambert, McKlveen, Mattes, Newberry, Nichols, Seeley, Smith of Mitchell, Stirton, Stookey, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Young—35.

The nays were:

None.

Absent or not voting:

Senators Frudden, Hopkins, Jackson, Jamieson of Page, Jamison of Clarke, Jones, McManus, Maytag, Moon, Peterson, Saunders, Smith of Mitchell, Stuckslager, Taylor, Wilson of Clinton—15.

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 repeal Section Fifteen Hundred Thirty (1530) of the Code, relative to the levy of taxes for roads and highways, was taken up and considered.

Senator Allen moved to amend by adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 100.

A BILL for an act to repeal Sections Fifteen Hundred and Thirty (1530) of the Code, Fifteen Hundred and Thirty (1530) of the Supplement to

the Code, and Chapter Fifty-six (56) of the laws of Thirty-first General Assembly, relative to the levy of taxes for roads and highways, and enact the following in lieu thereof:

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That Sections Fifteen Hundred and Thirty (1530) of the Code, Fifteen Hundred and Thirty (1530) of the Supplement to the Code, and Chapter Fifty-six (56) of the laws of the Thirty-first General Assembly be and the same are hereby repealed and the following enacted in lieu thereof:

The Board of Supervisors of each county shall, at the time of levying taxes for other purposes, levy a tax of not more than one (1) mill on the dollar of the assessed value of the taxable property in its county, including all taxable property in cities and incorporated towns, excepting in cases provided for in Section Twenty (20), Chapter Sixty-eight (68) of the laws of the Thirtieth General Assembly, the Board of Supervisors shall levy not to exceed one (1) additional mill, which shall be collected at the same time, and in the same manner as other taxes, and be known as the county road fund, and paid out only on the order of the board for work done on the roads of the county in such places as it shall determine; provided, that on written petition of a majority of the electors who are free holders of any township in any county, the Board of Supervisors may levy an additional mill in said township, to be expended by said Board of Supervisors on roads in township where same is levied; but so much of the county road fund as arises from property within any city or incorporated town shall be expended on the roads or streets within such city or town, or on the roads adjacent thereto, under the direction of the city or town council. Excepting in cases where the Board of Supervisors make an additional levy for payment of drainage benefits assessed against roads and highways, the entire amount arising from such levy shall be covered into the county road fund. The County Treasurer shall receive the same compensation for collecting these taxes as he does for collecting corporation taxes. Moneys so collected shall not be transferable to any other fund nor used for any other purpose. In case the Board of Supervisors do not make a levy for county road fund or levy less than one (1) mill for said county road fund, the Board of Supervisors shall levy such an additional fund for the benefit of such townships as shall have certified a desire for such additional levy, as provided for in Section One Thousand Five Hundred and Twenty-eight (1528) of this chapter; but the amount for the general township fund and the county road fund shall not exceed in any one year five (5) mills on the dollar.

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 Capital, newspapers published in the city of Des Moines, Iowa.

Substitute was read first and second time.

Senator Allen moved that the rules by which no bill shall be read second and third time on the same day be suspended.

Carried.

Senator Allen moved that the substitute be substituted for the original bill.

Carried.

The bill was read for information.

Senator Bruce moved that further consideration of the bill be postponed.

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 concurs in Senate amendment to the following bill, in which the concurrence of the House was asked:

House File No. 411, a bill for an act to amend Title Five (5), Chapter Nine (9) of the Code, and amendments thereto, relating to park commissioners.

C. R. BENEDICT.
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House concurs in Senate amendments to the following bill, in which the concurrence of the House was asked:

House File No. 403, a bill for an act to enlarge the powers and further define the duties of the Board of Railroad Commissioners.

C. R. BENEDICT.
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House concurs in Senate amendment to the following bill, in which the concurrence of the House was asked:

House File No. 168, a bill for an act to amend the law as it appears in Section Sixty-five (65) of the Supplement to the Code, and to amend Sections Eighty-eight (88), Eighty-nine (89) and One Hundred and Sixteen (116) of the Code, relating to the compensation of the Secretary to the Governor, the Deputy Secretary of State, the Deputy Auditor of State and the Deputy Treasurer of State.

C. R. BENEDICT.
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House concurs in Senate amendments to the following bill, in which the concurrence of the House was asked:

House File No. 407, a bill for an act repealing Section Twenty-eight Hundred and Eighty-one (2881) of the Code, and Section Twenty-eight Hundred and Eighty-one-b (2881-b) of the Supplement to the Code, and Section Six (6) of Chapter One Hundred and Fourteen (114) of the acts of the Twenty-eighth General Assembly, relating to employes in the State library, fixing their salaries and providing for their bonds and enacting a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House concurs in Senate amendments to the following bill, in which the concurrence of the House was asked:

House File No. 404, a bill for an act to amend Section Six Hundred and Seventy-four (674) of the Supplement to the Code, relating to the compensation of assessors and deputies.

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 of the Thirty-second General Assembly of the State of Iowa, making application to the Congress of the United States, requesting that the surviving members of the military organization known as the Iowa Northern Border Brigade be given the same rights and privileges for pensions as given officers and soldiers of the Civil War.

WHEREAS, The military organization known as the Iowa Northern Brigade, having performed service which the United States Government troops had previously performed in protecting the settlers upon the northern borders of the State of Iowa, at a time during the Civil War when the Government did not have the troops to spare for such service; and

WHEREAS, The above named military organization was not regularly mustered into service of the United States; therefore,
Be It Resolved by the House, the Senate Concurring:

SECTION 1. That the Congress of the United States be and is hereby requested to enact such legislation as will place the surviving members of the Iowa Northern Border Brigade, who rendered active service in protecting settlers against Indian depredations, in the same position as applicants for pensions from the general government as though they had been regularly mustered into the service of the United States.

SEC. 2. That this resolution, duly authenticated, shall be delivered to the President of the Senate and Speaker of the House of Representatives of the United States, with the request that the same shall be placed before the said Senate and House.

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 concurrent resolution, in which the concurrence of the House was asked:

Concurrent resolution relative to the publishing of the pure food law as amended, the paint law, etc., and the distribution of same.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker of the House appoints as conference committee on House File No. 341, a bill for an act to repeal Section Seventeen Hundred and Seventy-four (1774) of the Code, relating to valuation of policies of life insurance companies, and to enact a substitute therefor: Jones of Montgomery, Moore of Linn, Harding of Woodbury, Conn of Butler.

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 the Secretary of State be authorized to have printed five thousand (5,000) copies of the primary election law, such copies to be printed in pamphlet form, pocket size edition, bound in paper covers, twenty-five (25) copies of the same to be mailed, as soon as printed, to each member of the General Assembly.

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. 328, a bill for an act authorizing the employment of convict labor in the care of the State's property and for other 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. 489, a bill for an act making provision to pay deficit in the fund of State Board of Health bacteriological 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. 491, a bill for an act to legalize the orders, acts, proceedings and resolutions passed by the council of the town of Milford, Dickinson county, in connection with submitting the proposition of granting a franchise to the Midland Telephone Company at the municipal election.

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. 456, a bill for an act to amend Section Twenty-five Hundred and Thirty-three (2533) of the Code, relating to the deputies of State Veterinary Surgeon.

C. R. BENEDICT,
Chief Clerk.

The Journal of yesterday was taken up, corrected and approved.

HOUSE MESSAGES CONSIDERED.

House concurs in Senate amendments to House File No. 411, a bill for an act to amend Title Five (5), Chapter Nine (9) of the Code and amendments thereto, relating to park commissioners.

Passed on file.

House concurs in Senate amendments to House File No. 403, a bill for an act to enlarge the powers and further define the duties of the Board of Railroad Commissioners.

Passed on file.

House concurs in Senate amendments to House File No. 168, a bill for an act to amend the law as it appears in Section Sixty-five (65) of the Supplement to the Code and to amend Sections Eighty-eight (88), Eighty-nine (89) and One Hundred and Sixteen (116) of the Code, relating to the compensation of the secretary to the Governor, the Deputy Secretary of State, the Deputy Auditor of State and the Deputy Treasurer of State.

Passed on file.

House concurs in Senate amendments to House File No. 407, a

bill for an act repealing Section Two Thousand Eight Hundred and Eighty-one (2881) of the Code and Section Two Thousand Eight Hundred and Eighty-one-b (2881-b) of the Supplement to the Code and Section Six (6) of Chapter One Hundred Fourteen (114) of the acts of the Twenty-eighth General Assembly, relating to employes in the State library, fixing their salaries and providing for their bonds, and enacting a substitute therefor.

Passed on file.

House concurs in Senate amendments to House File No. 404, a bill for an act to amend Section Six Hundred Seventy-four (674) of the Supplement to the Code, relating to the compensation of assessors and deputies.

Passed on file.

House concurrent resolution making application to the Congress of the United States requesting that the surviving members of the military organization known as the Iowa Northern Border Brigade be given the same rights and privileges for pension as given officers and soldiers of the Civil War.

Read first and second time and referred to Sifting Committee.

Senate concurrent resolution relative to the publishing of the pure food law as amended, the paint law, etc., and the distribution of same.

Passed on file.

Speaker of the House appoints as conference committee on House File No. 341, a bill for an act to repeal Section One Thousand Seven Hundred Seventy-four (1774) of the Code, relating to valuation of policies of life insurance companies, and to enact a substitute therefor: Jones of Montgomery, Moore of Linn, Harding of Woodbury, Conn of Butler.

Passed on file.

House concurrent resolution relative to primary election law.

Read and referred to Sifting Committee.

House has amended and passed Senate File No. 328, a bill for an act authorizing the employment of convict labor in the care of the State's property and for other purposes.

Passed on file.

House File No. 489, a bill for an act making provision to pay deficit in the fund of the State Board of Health bacteriological laboratory at Iowa City.

Read first and second time and referred to Committee on Appropriations.

House File No. 491, a bill for an act to legalize the orders, acts, proceedings and resolutions passed by the council of the town of Milford, Dickinson county, in connection with submitting the proposition of granting a franchise to the Midland Telephone Company at the municipal election.

Read first and second time and referred to Sifting Committee.

House File No. 456, a bill for an act to amend Section Two Thousand Five Hundred and Thirty-three (2533) of the Code, relating to the deputies of the State Veterinary Surgeon.

Read first and second time and referred to Committee on Appropriations.

Senator Smith of Des Moines moved that the Senate do now adjourn.

Carried.

Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P.M., President Garst presiding.

Senator Turner moved that the Senate request the recall from the House of House File No. 315.

Carried.

THIRD READING OF BILLS.

Senate File No. 198, a bill for an act to amend Section One (1), Chapter Twenty-one (21) of the acts of the Thirtieth General Assembly, relating to the compensation of County Recorders; and to amend Section Four Hundred and Ninety-six (496) of the Code, relating to the compensation of Deputy County Recorders, was taken up and considered.

Senator Saunders moved that the Senate concur in the following House amendment:

Amend by striking out the following words in line four of Section One (1): "Fourteen Hundred Dollars (\$1,400)," and insert in lieu thereof the following: "Twelve Hundred Dollars (\$1,200)."

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Burgess, Clark, Elerick, Frudden, Gale, Gilliland, Hopkins, Jackson, Jones, Newberry, Nichols, Smith of Des Moines, Turner, Wilson of Fayette, Wilson of Clinton—15.

The nays were:

Senators Allen, Bleakly, Bruce, Crossley, DeArmand, Foley, Hughes, Kinne, Saunders, Seeley, Stookey, Wade, Warren, Whiting—14.

Absent or not voting:

Senators DeWolf, Dowell, Dunham, Eckles, Ericson, Jamieson of Page, Jamison of Clarke, Kimmel, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Peterson, Smith of Mitchell, Stirton, Stuckslager, Taylor, Whipple, Young—21.

So the amendment was not concurred in.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 385, a bill for an act to amend Section Two Thousand Twenty-two (2022) of the Code, relating to cattle guards at private crossings of railways.

Also:

House File No. 444, a bill for an act to legalize the acts done and the ordinances passed by the town council of Dexter, Dallas county, Iowa.

Also:

House File No. 474, a bill for an act to amend Section Five Thousand Sixty-two (5062) of the Code, relative to penalty for combinations, pools and trusts.

Also:

House File No. 479, a bill for an act to authorize and require street railways, and interurban railroads operating street railways, to permit

interurban railroads to use their tracks and terminal facilities and to furnish power to interurban railroads in cities, and providing for fixing the compensation therefor, and authorizing street railways to furnish power to interurban railroads.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

Senate File No. 328, a bill for an act authorizing the employment of convict labor in the care of the State's property and for other purposes, was taken up and considered.

Senator McManus moved that the Senate concur in the following House amendments:

Amend Senate File 328 by striking out Section One (1) and by substituting the following in lieu thereof:

SECTION 1. Convict labor may be used in caring for the houses and premises occupied by the wardens of the penitentiaries, and for such domestic purposes as may be deemed necessary; provided, however, that nothing be done inconsistent with prison discipline and that not more than two convicts shall be thus used at any one time.

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Frudden, Hopkins, Hughes, Jackson, Kimmel, Kinne, Lambert, McManus, Mattes, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—35.

The nays were:

None.

Absent or not voting:

Senators Allen, Crossley, DeWolf, Foley, Gale, Gilliland, Jamieson of Page, Jamison of Clarke, Jones, McKlveen, Maytag, Saunders, Smith of Mitchell, Stuckslager, Young—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Hopkins, from the Committee on Railroads, returned

to the Senate Senate Files No. 101 125, 214, 316, 299, 93, and House File No. 263, which were referred to the Sifting Committee.

House File No. 402, a bill for an act to limit the expenses, other than losses, of State mutual hail insurance associations, and to limit the compensation to be paid to officers, agents and employes of such associations, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Senator Turner moved the adoption of the following committee amendment:

Amend by striking from lines four and five of Section One (1) the words and period "one and one-half per cent." and substituting therefor the words "two per cent."

Adopted.

Senator Turner moved the adoption of the following committee amendment:

Strike Section Three (3) from the bill and re-number Sections Four (4), Five (5) and Six (6) so that they will appear as Sections Three (3), Four (4) and Five(5).

Adopted.

Senator Allen moved the adoption of the following amendment:

Amend by striking out Section Two (2) and inserting the following in lieu thereof:

SEC. 2. No association contemplated by this act shall make any disbursement of Ten Dollars (\$10.00) or more unless the same is evidenced by a voucher signed by the person, firm or corporation receiving the money or payment and correctly describing the consideration for the payment. If the expenditure be both for services and disbursements the voucher shall set forth the services rendered and an itemized statement of the disbursement made. When such voucher cannot be obtained the expenditure shall be evidenced by an affidavit of an officer of the association or by the person making the disbursement describing the character and object of the expenditure, and stating the reason why such voucher was not obtained.

Adopted.

Senator Bleakly moved the adoption of the following amendment to the amendment:

Amend the amendment by striking out the word "ten" in second line and inserting the words "twenty-five" in lieu thereof.

Adopted.

The amendment as amended was adopted.

Senator Whipple moved the adoption of the following amendment:

I move to amend the bill by striking out of lines five and ten of Section One (1) the word "five" and by inserting in lieu thereof the word "ten."

On the adoption of the amendment, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Eckles, Elerick, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Carke, Lambert, McManus, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Clinton—35.

The nays were:

Senators Allen, Ericson, Jones, Kimmel, Kinne, McKlveen, Mattes, Nichols, Turner, Young—10.

Absent or not voting:

Senators Crossley, Dunham, Frudden, Maytag, Wilson of Fayette—5.

So the amendment was adopted.

Senator Whipple moved the adoption of the following amendment:

I move to amend House File No. 402 by inserting the words "on business written in Iowa" after the word "year" in the third line of Section One (1) of said bill.

Adopted.

The bill as amended was read for information.

Senator Stookey moved the adoption of the following amendment:

Amend the title by striking out the words "and to limit the compensations to be paid to officers, deputies and employes of such associations," and by inserting in lieu thereof the words "and to regulate the disbursements of such associations."

Adopted.

Senator Whipple moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frud-den, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—48.

The nays were:

None:

Absent or not voting:

Senators Crossley, Jamison of Clarke—2.

So the bill having received a constitutional majority was de-clared to have passed the Senate and its title, as amended, 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. 370, a bill for an act to legalize the election of the town council of the incorporated town of Belmond, Wright county, Iowa, and all the acts thereof during the last ten years.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns the following bill:

House File No. 315, a bill for an act to provide for agricultural extension work and for a correspondence school of agriculture by the Iowa State College of Agriculture and Mechanic Arts, and making appropriation therefor.

C. R. BENEDICT,
Chief Clerk.

Senator Saunders filed the following motion :

I move to reconsider the vote by which the Senate refused to concur in the House amendment to Senate File No. 198.

C. G. SAUNDERS.

The President announced that he had signed, in the presence of the Senate, House Files No. 385, 444, 474 and 479.

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. 446, a bill for an act to amend Section One (1), Chapter Eighty-five (85), acts of the Thirtieth General Assembly, relating to the expenses of the bureau of labor statistics.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Saunders, Senate File No. 371, a bill for an act fixing the place of confinement of females who are convicted of felonies and sentenced to confinement in the penitentiary.

Be It Enacted by the General Assembly of the State of Iowa :

SECTION 1. Any female heretofore or hereafter convicted of a felony and sentenced to confinement in the penitentiary shall be kept in the reformatory at Anamosa.

Read first and second time and referred to Sifting Committee.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the conference committee report on House File No. 49, a bill for an act to provide for a uniform policy to be used by all fire insurance companies doing business in Iowa.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House has adopted conference committee report on House File No. 49, a bill for an act to provide for a uniform policy to be used by all fire insurance companies doing business in Iowa.

MR. PRESIDENT—Your committee on conference, to whom was referred House File No. 49, "a bill for an act to provide a uniform policy to be

used by all fire insurance companies doing business in Iowa," beg leave to report that they have had the same under consideration and recommend that the Senate recede from the amendment adopted to said bill, known as Section Five (5) thereof.

J. H. ALLEN,
JAS. H. JAMISON,
J. A. DEARMAND,
A. F. FRUDDEN,

Conference Committee on part of the Senate.

F. F. JONES,
W. H. ARNEY,
ENOCH BEERY,
CHAS. L. MARSTON.

Conference Committee on part of the House.

Senator Jamison of Clarke moved that the Senate recede from the amendment adopted to Section Five (5) of said bill.

On the question, "Shall the Senate recede from its amendment?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, Jones, Kimmel, Lambert, McKlveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Stirton, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Young—42.

The nays were:

None.

Absent or not voting:

Senators Burgess, Gale, Jamieson of Page, Kinne, Saunders, Smith of Mitchell, Stookey, Wilson of Clinton—8.

So the motion to recede 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 passed the following bill, in which the concurrence of the Senate is asked:

House File No. 477, a bill for an act to amend title Six (6), Chapter Three (3), of the Code, relating to 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. 350, a bill for an act to indemnify D. H. Fiester for personal injury sustained by him while employed at the Hospital for the Insane at Independence, Iowa.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

House File No. 483, a bill for an act to legalize the acts of the town council of Bayard, Guthrie county, Iowa, and irregularities in a certain election held on March 25, 1907, thereby, was taken up and considered.

Senator Dowell was called to the chair at 3 o'clock.

The bill was read for information.

Senator Hopkins moved that the rules by which no bill shall be read a second and third time on the same day be suspended.

Carried.

Senator Hopkins moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Moon, Newberry, Peterson, Seeley, Smith of Des Moines, Stirton, Stookey, Taylor, Turner, Wade, Whipple Whiting Wilson of Fayette—38.

The nays were:

None.

Absent or not voting:

Senators DeArmand, Ericson, Jamieson of Page, Jamison of Clarke, Maytag, Nichols, Saunders, Smith of Mitchell, Stuckslager, Warren, Wilson of Clinton, Young—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. 446, a bill for an act to amend Section One (1), Chapter Eighty-five (85), acts of the Thirtieth General Assembly, relating to the expenses of the Bureau of Labor Statistics.

Read first and second time and referred to Sifting Committee.

House returns House File No. 315, a bill for an act to provide for agricultural extension work and for a correspondence school of agriculture by the Iowa State College of Agriculture and Mechanic Arts, and making appropriation therefor.

Passed on file.

House File No. 477, a bill for an act to amend Title VI (6), Chapter Three (3) of the Code, relating to elections.

Read first and second time and referred to Sifting Committee.

House File No. 350, a bill for an act to indemnify D. H. Fiester for personal injury sustained by him while employed at the Hospital for the Insane at Independence, Iowa.

Read first and second time and referred to Committee on Appropriations.

Senate File No. 370, a bill for an act to legalize the election of the town council of the incorporated town of Belmond, Wright county, Iowa, and all the acts thereof during the last ten years.

Passed on file.

On motion of Senator Jamison of Clarke, the Senate adjourned until 7:20 o'clock P.M. for the purpose of holding a joint session of the House and Senate.

EVENING SESSION.

Senate met pursuant to adjournment at 7:20 P.M., President Garst presiding.

A committee from the House 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 purposes of joint convention, under the direction of the Sergeant-at-Arms.

The Senate proceeded to the House to meet in joint convention.

JOINT CONVENTION.

President Garst called the joint convention to order.

President announced the purpose of the joint convention to be the election of four regents for the State University and three trustees for the Iowa State College of Agriculture and Mechanic Arts and two trustees for the State Normal School.

The following responded to roll call:

Allen, Allred, Anderson, Arney, Baird, Balluff, Bascom, Bauman, Beery, Bergeson, Bixby, Blackmore, Bleakly, Bonwell, Brandes, Cassady, Clark of Poweshiek, Clary, Conn, Corrie, Crossley, Darrah, Dewell, DeWolf, Dodds, Dow, Dunham, Dunn, Dye of Decatur, Dye of Pottawattamie, Ericson, Feay, Feely, Felt, Flugum, Fox, Frudden, Gilliland, Grier, Haekler, Hambleton, Hanson, Harding, Harvey, Hickey, Holmes, Hughes, Inman, Jackson, Jamison of Clarke, Jewell, Jones of Montgomery, Kelley, Kendall of Clinton, Kendall of Monroe, Koontz, Kull, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, McKlveen, Maben, Mann, Marston, Mason, Mattes, Maytag, Meredith, Miller of Dubuque, Moon, Moore, Newberry, Nichols, Offill, Paul, Peterson, Price, Reaney, Ritter, Schoenenberger, Schroeder, Schulte, Shaffer, Sidey, Smith of Mitchell, Smith of Wright, Springer, Stewart, Stoltenberg, Sullivan, Swan, Taylor, Teter, Van Houten, Webster, Weeks, Whipple, White, Whiting, Youde, Young—103.

President appointed as tellers of the joint convention: Senator Allen on part of the Senate and Representative Feely on part of the House.

Representative Feely of Black Hawk presented the following resolution and moved its adoption:

Resolved by the Joint Convention of the Thirty-second General Assembly:

That Charles E. Pickett of the Third Congressional district, Alonzo Abernethy of the Fourth Congressional district, E. K. Winne of the Tenth Congressional district and P. K. Holbrook of the Eleventh Congressional district be and are hereby elected regents of the State University for the term beginning May 1, 1908, and ending May 1, 1914;

That J. S. Jones of the Third Congressional district, W. O. McElroy of the Sixth Congressional district and James H. Wilson of the Ninth Congressional district be and are hereby elected trustees of the Iowa State College of Agriculture and Mechanic Arts for the term beginning May 1, 1908, and ending May 1, 1914;

That George W. Clarke of Dallas county and W. A. McIntire of

Wapello county be and are hereby elected trustees of the State Normal School for the term beginning May 1, 1908, and ending May 1, 1914.

White of Story seconded the motion to adopt the resolution.

On the question, "Shall the resolution be adopted?"

The yeas were:

Allen, Allred, Anderson, Arney, Baird, Balluff, Bascom, Bauman, Beery, Bixby, Blackmore, Bleakly, Bonwell, Brandes, Casady, Clark of Poweshiek, Clary, Conn, Corrie, Cottrell, Crossley, Darrah, DeArmand, Dewell, DeWolf, Dodds, Dow, Dunham, Dunn, Dye of Decatur, Dye of Pottawattamie, Erieson, Feay, Feely, Felt, Fenn, Flugum, Fox, Frudden, Gilliland, Grier, Hackler, Hambleton, Hanna, Hanson, Harding, Harvey, Heles, Hickey, Holmes, Hopkins, Hughes, Inman, Jackson, Jamison of Clarke, Jewell, Jones of Montgomery, Kelley, Kendall of Monroe, Kimmel, Koontz, Kull, Lambert, Lee, Lister, Lowrey, McAllister, McDonald, McElrath, McKlveen, Maben, Mann, Marston, Mason, Mattes, Maytag, Meredith, Miller of Bremer, Miller of Dubuque, Moon, Moore, Morris, Newberry, Nichols, Offill, Paul, Price, Reaney, Reitz, Ritter, Saunders, Schoenenberger, Schroeder, Schulte, Seeley, Shaffer, Sidey, Smith of Mitchell, Smith of Wright, Stewart, Stoltenberg, Sullivan, Swan, Taylor, Teter, Turner, Van Houten, Webster, Weeks, Welden, White, Whiting, Wilson of Fayette, Wilson of Tama, Youde—114.

The nays were:

None.

So the resolution was declared to be adopted, and the persons named therein declared elected to the office for which they were named and for the terms specified in said resolution.

The tellers announced that 114 members of the joint convention had voted for the candidates named in the resolution.

The following certificates were signed in the presence of the joint convention.

STATE OF IOWA,
HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, APRIL 5th, A. D. 1907.

This is to certify that at an election by the two houses of the Thirty-second General Assembly of the State of Iowa, in joint convention, on the 5th day of April, A. D. 1907, for the purpose of elect-

ing officers of the various State institutions, Charles E. Pickett of Waterloo, Black Hawk county, Iowa, 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 5th day of April, A. D. 1907.

WARREN GARST,
President of the Senate.

N. E. KENDALL,
Speaker of the House of Representatives.

J. H. ALLEN,

Teller on the part of the Senate.

GUY A. FEELY,

Teller on the part of the House.

STATE OF IOWA,

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, APRIL 5th, A. D. 1907.

This is to certify that at an election by the two houses of the Thirty-second General Assembly of the State of Iowa, in joint convention, on the 5th day of April, A. D. 1907, for the purpose of electing the officers of the various State institutions, Alonzo Abernethy of Osage, Mitchell county, Iowa, 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 5th day of April, A. D. 1907.

WARREN GARST,
President of the Senate.

N. E. KENDALL,
Speaker of the House of Representatives.

J. H. ALLEN,

Teller on the part of the Senate.

GUY A. FEELY,

Teller on the part of the House.

STATE OF IOWA,

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, APRIL 5th, A. D. 1907.

This is to certify that at an election by the two houses of the Thirty-second General Assembly of the State of Iowa, in joint convention, on the 5th day of April, A. D. 1907, for the purpose of electing the officers of the various State institutions, E. K. Winne of Humboldt, Humboldt county, Iowa, 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 5th day of April, A. D. 1907.

WARREN GARST,
President of the Senate.

N. E. KENDALL,
Speaker of the House of Representatives.

J. H. ALLEN,
Teller on the part of the Senate.

GUY A. FEELY,
Teller on the part of the House.

STATE OF IOWA,
HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, APRIL 5th, A. D. 1907.

This is to certify that at an election by the two houses of the Thirty-second General Assembly of the State of Iowa, in joint convention, on the 5th day of April, A. D. 1907, for the purpose of electing the officers of the various State institutions, P. K. Holbrook of Onawa, Monona county, Iowa, 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 5th day of April, A. D. 1907.

WARREN GARST,
President of the Senate.

N. E. KENDALL,
Speaker of the House of Representatives.

J. H. ALLEN,
Teller on the part of the Senate.

GUY A. FEELY,
Teller on the part of the House.

STATE OF IOWA,
HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, APRIL 5th, A. D. 1907.

This is to certify that at an election by the two houses of the Thirty-second General Assembly of the State of Iowa, in joint convention, on the 5th day of April, A. D. 1907, for the purpose of electing the officers of the various State institutions, J. S. Jones of Manchester, Delaware county, Iowa, having received a majority of all the votes cast for said office, was declared duly elected as trustee of the Iowa State 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 5th day of April,
A. D. 1907.

WARREN GARST,
President of the Senate.

N. E. KENDALL,
Speaker of the House of Representatives.

J. H. ALLEN,
Teller on the part of the Senate.

GUY A. FEELY,
Teller on the part of the House.

STATE OF IOWA,
HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, APRIL 5th, A. D. 1907.

This is to certify that at an election by the two houses of the Thirty-second General Assembly of the State of Iowa, in joint convention, on the 5th day of April, A. D. 1907, for the purpose of electing the officers of the various State institutions, W. O. McElroy of Newton, Jasper county, Iowa, having received a majority of all the votes cast for said office, was declared duly elected as trustee of the Iowa State 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 5th day of April,
A. D. 1907.

WARREN GARST,
President of the Senate.

N. E. KENDALL,
Speaker of the House of Representatives.

J. H. ALLEN,
Teller on the part of the Senate.

GUY A. FEELY,
Teller on the part of the House.

STATE OF IOWA,
HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, APRIL 5th, A. D. 1907.

This is to certify that at an election by the two houses of the Thirty-second General Assembly of the State of Iowa, in joint convention, on the 5th day of April, A. D. 1907, for the purpose of electing the officers of the various State institutions, James H. Wilson of Menlo, Guthrie county, Iowa, having received a majority of all the votes cast for said office, was declared duly elected as trustee of the Iowa State 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 5th day of April,
A. D. 1907.

WARREN GARST,
President of the Senate.

N. E. KENDALL,
Speaker of the House of Representatives.

J. H. ALLEN,
Teller on the part of the Senate.

GUY A. FEELY,
Teller on the part of the House.

STATE OF IOWA,

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, APRIL 5th, A. D. 1907.

This is to certify that at an election by the two houses of the Thirty-second General Assembly of the State of Iowa, in joint convention, on the 5th day of April, A. D. 1907, for the purpose of electing the officers of the various State institutions, George W. Clarke of Adel, Dallas county, Iowa, having received a majority of all the votes cast for said office, was declared duly elected as trustee of the 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 5th day of April, A. D. 1907.

WARREN GARST,
President of the Senate.

N. E. KENDALL,
Speaker of the House of Representatives.

J. H. ALLEN,
Teller on the part of the Senate.

GUY A. FEELY,
Teller on the part of the House.

STATE OF IOWA,

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, APRIL 5th, A. D. 1907.

This is to certify that at an election by the two houses of the Thirty-second General Assembly of the State of Iowa, in joint convention, on the 5th day of April, A. D. 1907, for the purpose of electing the officers of the various State institutions, W. A. McIntire of Ottumwa, Wapello county, Iowa, having received a majority of all the votes cast for said office, was declared duly elected as trustee of the 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 5th day of April, A. D. 1907.

WARREN GARST,
President of the Senate.

N. E. KENDALL,
Speaker of the House of Representatives.

J. H. ALLEN,
Teller on the part of the Senate.

GUY A. FEELY,
Teller on the part of the House.

Minutes of the joint convention were read and approved.

On motion of Senator Crossley, the joint convention dissolved.

The Senate returned from joint convention.

Senator Turner moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A. M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, SATURDAY, APRIL 6, A. D. 1907.

Senate met in regular session at 9 o'clock A.M., President Garst presiding.

Prayer was offered by the Rev. A. S. Galden of Manning, Iowa.

THIRD READING OF BILLS.

House concurrent resolution relative to printing and distribution of the primary election law in pamphlet form was taken up and considered.

Senator Crossley moved that the Senate concur in the House concurrent resolution.

Carried.

House concurrent resolution relative to making application to Congress of the United States, relative to the rights and privileges of the members of the Iowa Northern Border Brigade and soldiers and officers of the Civil war, was taken up and considered.

Senator Peterson moved that the Senate concur in the House concurrent resolution.

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. 364, a bill for an act to enable the State of Iowa to sell and dispose of certain unclaimed lands within the former channel of the Des Moines river and formed by accretions in consequence of the changes of the channel of such river.

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. 334, a bill for an act appropriating the sum of One Hundred and Fifty-nine Dollars and Ninety Cents (\$159.90) to be paid to W. J. McAhren in settlement of a claim against the State of Iowa, arising by reason of the efforts of the said W. J. McAhren to extradite one H. S. Green.

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 granting the use of public highways for laying of water mains and pipes 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 House was asked:

Senate File No. 315, a bill for an act to repeal Section Fourteen Hundred and Sixty (1460) of the Code, relating to the statement by the Auditor of State of the County Treasurers' accounts with the Treasurer 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 House was asked:

Senate File No. 226, a bill for an act to reimburse S. B. Humbert for services rendered as superintendent of construction of the monuments at Lookout Mountain and one at either end of Missionary Ridge, and to make 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 No. 302, a bill for an act to amend Section Twenty-eight Hundred and Twenty-three-f (2823-f) of the Supplement to the Code, relative to the enforcement of the law for compulsory attendance.

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. 490, a bill for an act to amend Section Twenty-one Hundred and Sixteen (2116) of the Code, relating to the duties of railroads as to furnishing transportation.

C. R. BENEDICT,
Chief Clerk.

Also :

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in and passed Senate substitute amendment to the following bill, in which the concurrence of the House was asked:

House File No. 100, a bill for an act making appropriations 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 concurred in Senate amendments to the following bill, in which the concurrence of the House was asked:

House File No. 468, a bill for an act authorizing cities having a population of sixty thousand (60,000) or over to erect a city hall, to purchase the necessary ground therefor, and to levy a special tax for the purpose of paying for the same, and repealing Chapter Twenty-seven (27) of the 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 amended and passed the following bill, in which the concurrence of the House was asked:

Substitute for Senate File No. 77, a bill for an act making appropriation for 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 amended and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 338, a bill for an act for the regulation and taxation of persons who shall maintain an office or place of business where intoxicating liquors are held in store and the purchase price thereof collected for the owner from the person to whom they have been conditionally sold.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate File No. 371, a bill for an act fixing the place of confinement of females who are convicted of felonies and sentenced to confinement in the penitentiary, was taken up and considered.

Senator Saunders 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:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Eckles, Elerick, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Stuckslager, Taylor, Wade, Whiting, Wilson of Fayette, Wilson of Clinton, Young—36.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Dowell, Dunham, Ericson, Foley, Gale, Hopkins, Jamieson of Clarke, Jones, McManus, Stirton, Turner, Warren, Whipple—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

House File No. 446, a bill for an act to amend Section One (1), Chapter Eighty-five (85), acts of the Thirtieth General Assembly, relating to the expenses of the Bureau of Labor Statistics, was taken up and considered.

The bill was read for information.

Senator Smith of Mitchell moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Elerick, Ericson, Gale, McManus, Peterson, Saunders, Stirton, Stuckslager, Warren—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

House substitute amendment for Senate File No. 81, a bill for an act prohibiting the storage and transportation of powder or other explosives in coal mines, while miners or other employes are working therein, was taken up and considered.

Senator Whipple moved the adoption of the following amendment:

Amend Section One (1) of the bill by striking out of line two the words "or mechanical."

Adopted.

Senator Warren moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Turner, Wade, Warren, Whipple, Whiting, Wilson of Clinton—38.

The nays were:

None.

Absent or not voting:

Senators Bleakly, Gale, Jamieson of Page, Jamison of Clarke, McManus, Newberry, Nichols, Stirton, Stuckslager, Taylor, Wilson of Fayette, Young—12.

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. 18, 31, 235 and 237.

Senate File No. 330, a bill for an act relating to the sale of intoxicants in the vicinity of military reservations, and providing a penalty for the violation thereof, was taken up and considered.

Senator Turner moved that the Senate concur in the following House amendments:

Amend the bill by inserting the word "other" between the words "any" and "intoxicating" in line two of the printed bill.

Also amend Senate File No. 330 by striking out the words "on conviction in any court of jurisdiction" in lines five and six of Section One (1) of the printed bill.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bruce, Burgess, Clark, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, Mattes, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—39.

The nays were:

None.

Absent or not voting:

Senators Bleakly, DeArmand, Jamison of Clarke, McKlveen, McManus, Maytag, Nichols, Stirton, Stuckslager, Warren, Young—11.

So the House amendments were concurred in.

House File No. 491, a bill for an act to legalize the orders, acts, proceedings and resolutions passed by the council of the town of Milford, Dickinson county, Iowa, in connection with submitting the proposition of granting a franchise to the Midland Telephone Company at the municipal election, was taken up and considered.

The bill was read for information.

Senator Whipple moved that the rule be suspended and the reading just had be considered its **third reading**.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frud-den, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Kinne, Lambert, Mattes, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Taylor, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—41.

The nays were:

None:

Absent or not voting:

Senators Bleakly, Jamison of Clark, McKlveen, McManus, Maytag, Stookey, Stuckslager, Warren, Young—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

REPORTS OF COMMITTEES ON ENROLLED BILLS.

Senator Seeley, 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. 18, a bill for an act to prevent fraud in the sale of agricultural seeds, concentrated commercial feeding-stuffs and the materials from which they are manufactured, and to regulate the sale thereof; defining

concentrated commercial feeding-stuffs, and what shall constitute purity in various kinds of seeds; prohibiting the adulteration, and providing for the correct weighing and marking of agricultural seeds and concentrated commercial feeding-stuffs; and providing for the collection of samples, analyses of the same, and fixing penalties for its violation; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner, and making an appropriation therefor.

Also:

Senate File No. 31, a bill for an act to prevent the adulteration, misbranding and imitation of drugs; and repealing Sections Forty-nine Hundred and Eighty-three (4983), Forty-nine Hundred and Eighty-five (4985), Forty-nine Hundred and Eighty-six (4986) and Forty-nine Hundred and Eighty-eight (4988) of the Code, and vesting the execution and enforcement of this act in the Pharmacy Commissioners.

Also:

Senate File No. 235, a bill for an act to protect the safety of railroad employes by regulating the maintaining and stringing of other wires over railroad tracks.

Also:

Senate File No. 237, a bill for an act providing for scales and the weighing of commodities transported in carload lots, and furnishing certificates of weight by common carriers, and providing penalties for the violation of this act, in addition to Chapter Seven (7), Title Ten (10) of the Code.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seelèy, 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. 18, a bill for an act to prevent fraud in the sale of agricultural seeds, concentrated commercial feeding-stuffs and the materials from which they are manufactured, and to regulate the sale thereof; defining concentrated commercial feeding-stuffs, and what shall constitute purity in various kinds of seeds; prohibiting the adulteration, and providing for the correct weighing and marking of agricultural seeds and concentrated commercial feeding-stuffs; and providing for the collection of samples, analyses of the same, and fixing penalties for its violation; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner, and making an appropriation therefor.

Also:

Senate File No. 31, a bill for an act to prevent the adulteration, misbranding and imitation of drugs; and repealing Sections Forty-nine Hun-

dred and Eighty-three (4983), Forty-nine Hundred and Eighty-five (4985), Forty-nine Hundred and Eighty-six (4986) and Forty-nine Hundred and Eighty-eight (4988) of the Code, and vesting the execution and enforcement of this act in the Pharmacy Commissioners.

Also:

Senate File No. 235, a bill for an act to protect the safety of railroad employes by regulating the maintaining and stringing of other wires over railroad tracks.

Also:

Senate File No. 237, a bill for an act providing for scales and the weighing of commodities transported in carload lots, and furnishing certificates of weight by common carriers, and providing penalties for the violation of this act, in addition to Chapter Seven (7), Title Ten (10) of the Code.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORTS OF COMMITTEES ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 18, a bill for an act to prevent fraud in the sale of agricultural seeds, concentrated commercial feeding-stuffs and the materials from which they are manufactured, and to regulate the sale thereof; defining concentrated commercial feeding-stuffs, and what shall constitute purity in various kinds of seeds; prohibiting the adulteration, and providing for the correct weighing and marking of agricultural seeds and concentrated commercial feeding-stuffs; and providing for the collection of samples, analyses of the same, and fixing penalties for its violation; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner, and making an appropriation therefor.

Also:

Senate File No. 31, a bill for an act to prevent the adulteration, misbranding and imitation of drugs; and repealing Sections Forty-nine Hundred and Eighty-three (4983), Forty-nine Hundred and Eighty-five (4985), Forty-nine Hundred and Eighty-six (4986) and Forty-nine Hundred and Eighty-eight (4988) of the Code, and vesting the execution and enforcement of this act in the Pharmacy Commissioners.

Also:

Senate File No. 235, a bill for an act to protect the safety of railroad employes by regulating the maintaining and stringing of other wires over railroad tracks.

Also:

Senate File No. 237, a bill for an act providing for scales and the weighing of commodities transported in carload lots, and furnishing certificates of weight by common carriers, and providing penalties for the violation of this act, in addition to Chapter Seven (7), Title Ten (10) of the Code.

W. B. SEELEY,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

House File No. 477, a bill for an act to provide for the publication of candidates' expenses, and for the prosecution of corrupt practices in political campaigns, and providing a penalty therefor, was taken up and considered.

The bill was read for information.

Senator Smith of Mitchell moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gilliland, Hughes, Jackson, Jamieson of Page, Kimmel, Kinne, McKlveen, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Taylor, Warren, Whipple, Whiting, Wilson of Fayette, Young—32.

The nays were:

Senators DeArmand, DeWolf, Gale, Jamison of Clarke, Jones, Moon, Wilson of Clinton—7.

Absent or not voting:

Senators Bruce, Foley, Frudden, Hopkins, Lambert, McManus, Smith of Des Moines, Stookey, Stuckslager, Turner, Wade—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 has amended and passed substitute for Senate File No. 77, a bill for an act making appropriation for the Iowa State

College of Agriculture and Mechanic Arts, the State University and the State Normal School.

Passed on file.

House has concurred in Senate amendments to House File No. 468, a bill for an act authorizing cities having a population of 60,000 or over to erect a city hall, to purchase the necessary ground therefor, and to levy a special tax for the purpose of paying for the same, and repealing Chapter Twenty-seven (27) of the laws of the Thirtieth General Assembly.

Passed on file.

House has concurred in Senate substitute for House File No. 100, a bill for an act making appropriations for the State Normal School.

Passed on file.

House File No. 490, a bill for an act to amend Section Two Thousand One Hundred and Sixteen (2116) of the Code, relating to the duties of railroads as to furnishing transportation.

Passed on file.

Senate File No. 302, a bill for an act to amend Section Two Thousand Eight Hundred and Twenty-three-f (2823-f) of the Supplement to the Code, relative to the enforcement of the law for compulsory attendance.

Passed on file.

Senate File No. 226, a bill for an act to reimburse S. B. Humbert for services rendered as superintendent of construction of the monuments at Lookout Mountain and one at either end of Missionary Ridge, and to make an appropriation therefor.

Passed on file.

Senate File No. 315, a bill for an act to repeal Section One Thousand Four Hundred and Sixty (1460) of the Code, relating to the statement by the Auditor of State of the County Treasurer's account with the Treasurer of State.

Passed on file.

House has amended and passed Senate File No. 308, a bill for an act granting the use of public highways for laying of water mains and pipes thereon.

Passed on file.

Senate File No. 334, a bill for an act appropriating the sum of One Hundred and Fifty-nine Dollars and Ninety Cents (\$151.90), to be paid to W. J. McAhren in settlement of a claim against the State of Iowa, arising by reason of the efforts of the said W. J. McAhren to extradite one H. S. Green.

Passed on file.

Senate File No. 364, a bill for an act to enable the State of Iowa to sell and dispose of certain unclaimed lands within the former channel of the Des Moines river and formed by accretions in consequence of the changes of the channel of such river.

Passed on file.

House has amended and passed Senate File No. 338, a bill for an act for the regulation and taxation of persons who shall maintain an office or place of business where intoxicating liquors are held in store and the purchase price thereof collected for the owner from the person to whom they have been conditionally sold.

Passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 371, a bill for an act fixing the place of confinement of females who are convicted of felonies and sentenced to confinement in the penitentiary.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate File No. 338, a bill for an act for the regulation and taxation of persons who shall maintain an office or place of business where intoxicating liquors are held in store and the purchase price thereof collected for the owner from the person to whom they have been conditionally sold, was taken up and considered.

Senator Gilliland moved that the Senate concur in the following House substitute amendment:

SUBSTITUTE AMENDMENT FOR SENATE FILE NO. 338.

A BILL for the regulation and taxation of persons who shall maintain an office or place of business where intoxicating liquors are held in

store and the purchase price thereof collected for the owner from those not authorized to sell same or from those to whom they have been conditionally sold.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. Every person, partnership or corporation that shall engage in the business of holding intoxicating liquors in store and collecting for the owner thereof the purchase price of said liquors from those to whom they have been conditionally sold or from those not authorized by law to sell the same, shall pay to the Treasurer of the county where the business is carried on an annual mulct tax of Six Hundred Dollars (\$600.00), in quarterly installments, on the first day of January, of April, of July and of October; and such tax shall be paid for each separate office or place where such business is carried on, and all the provisions of the law relating to the levying, collecting and enforcing of what is known as the mulct tax shall apply and govern in the levying and collecting of the tax herein provided for, so far as applicable.

SEC. 2. No person, partnership or corporation shall engage in the business described in Section One (1) of this act without first paying the tax herein required for the quarter during which such business is carried on; and when the tax is so paid it shall go into the general fund of the county collecting the same.

On the question, "Shall the Senate concur in the House substitute amendment?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Kimmel, Lambert, McKlveen, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

None.

Absent or not voting:

Senators DeArmand, DeWolf, Foley, Jamison of Clarke, Kinne, McManus, Moon, Stuckslager, Turner, Whiting—10.

So the amendments were concurred in.

HOUSE MESSAGE CONSIDERED.

Senate File No. 371, a bill for an act fixing the place of confinement of females who are convicted of felonies and sentenced to confinement in the penitentiary.

Passed on file.

THIRD READING OF BILLS.

House File No. 231, a bill for an act to repeal Section Four Thousand Six Hundred (4600) of the Code, relative to the accounting for fees and compensation of justices of the peace and constables, and to enact in lieu thereof the following, was taken up and considered.

Senator Dowell moved the adoption of the following amendment:

Move to amend Section Two (2) by striking out the word "criminal" in the fifth line thereof.

Adopted.

Senator Dowell moved the adoption of the following amendment:

Move to amend Section Two (2) by striking out the words "criminal services performed by them" in the fifteenth line thereof and inserting in lieu thereof the words "their services performed in criminal cases."

Adopted.

Senator Dowell moved the adoption of the following amendment:

Move to amend by striking out lines twenty-one, twenty-two and twenty-three in Section Two (2) and inserting in lieu thereof the following: "Justices and constables in all townships having a population of twenty-eight thousand (28,000) and over shall retain such civil fees as may be allowed by the Board of Supervisors, not to exceed Five Hundred Dollars (\$500.00) per annum, for expenses of their offices actually incurred, and shall pay into the county treasury all the balance of the civil fees collected by them."

Adopted.

Senator Dowell moved the adoption of the following amendments:

Amend Section Two (2) of the bill by striking out the word "twenty" in the second line thereof and inserting in lieu thereof the words "twenty-eight."

Amend Section Two (2) by striking out the word "twenty" in the fifth line thereof and inserting in lieu thereof the words "twenty-eight."

Amend Section Two (2) by striking out the word "twenty" in the seventh line thereof and inserting in lieu thereof the words "twenty-eight."

Amend Section Two (2) by striking out the word "twenty" in the

thirteenth line thereof and inserting in lieu thereof the words "twenty-eight."

Amend Section Two (2) by striking out the word "thirty" in the seventeenth line thereof and inserting in lieu thereof the words "thirty-five."

Amend Section Two (2) by striking out the word "twenty" in the nineteenth line thereof and inserting in lieu thereof the words "twenty-eight," and by striking out the word "thirty" in said line nineteen and inserting in lieu thereof the words "thirty-five."

Adopted.

The bill as amended was read for information.

Senator Dowell moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Kimmel, Lambert, McKlveen, McManus, Mattes, Maytag, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—39.

The nays were:

None.

Absent or not voting:

Senators DeArmand, DeWolf, Gale, Hopkins, Jamison of Clarke, Jones, Kinne, Moon, Saunders, Smith of Mitchell, Stuckslager—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Frudden was called to the chair at 10:30 o'clock.

REPORTS OF COMMITTEE.

Senator Maytag, 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 to make an appropriation for

the removal of the remains of ex-Governor Ansel Briggs from Omaha, Nebraska, to Andrew, Jackson county, Iowa, and for the erection of a monument in the cemetery at that place in commemoration of his memory, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Ordered passed on file.

The President resumed the chair at 10:35.

Senator Maytag, 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 the purchase and erection of a monument at the grave of the late ex-Governor William M. Stone, and making an appropriation therefor, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

On the question of the adoption of the report of Committee on Appropriations, Senator Warren moved that the rules by which no bill reported for indefinite postponement shall be considered as provided for in the resolution adopted be suspended.

Senator Allen raised the point of order that the resolution only applied to bills that shall have been reported at the time the resolution was adopted.

The President ruled the point of order not well taken.

The motion was lost.

The report of the committee was adopted and the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 161, a bill for an act to appropriate money for the purpose of erecting a monument over the grave of a Revolutionary soldier buried at Center Point, Linn county, Iowa, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 266, a bill for an act making an appropriation for the erection of a monument at the Drakesville cemetery, Davis county, Iowa, to perpetuate the memory of Isaac Mason, a soldier of the Revolutionary war, and providing the method of such erection, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 110, a bill for an act making an appropriation for the erection of a monument at Mt. Gilead cemetery, Davis county, Iowa, to perpetuate the memory of Nathan Winton, and providing the method of such erection, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 168, a bill for an act providing for purchase and erection of a monument in memory of the Indian chief Black Hawk, and at the point of the first military post in the State of Iowa, and making an appropriation therefor, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 138, a bill for an act making an appropriation

for the erection of a monument in Elmwood cemetery, DeWitt, Iowa, in commemoration of the memory of one John Lepper, and providing the method of such erection, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 124, a bill for an act to establish an Industrial Reformatory for Females, to make appropriations therefor and to provide for the transfer of inmates to and from the Industrial School for Girls, beg leave to report that they have had the same under consideration and recommend that the same be indefinitely postponed.

F. L. MAYTAG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 484, a bill for an act to reimburse George S. Mornin and Guy A. Feely for expenses incurred in the election contest from the Sixty-sixth Representative district of Iowa, and to pay sundry persons for services, per diem, mileage and expenses rendered and incurred in connection with said election contest, beg leave to report that they have had the same under consideration and recommend that the same be amended as follows: By striking out in Section One (1), line three, the figures "\$265.45" and insert in lieu thereof the figures "\$565.45," and when so amended the bill do pass.

F. L. MAYTAG,
Chairman.

Adopted.

THIRD READING OF BILLS.

House File No. 484, a bill for an act to reimburse George S. Mornin and Guy A. Feely for expenses incurred in the election contest from the Sixty-sixth Representative District of Iowa, and to pay sundry persons for services, per diem, mileage and expenses rendered and incurred in connection with said election contest, with report of committee recommending passage as

amended, was taken up, considered, and the report of the committee adopted.

Senator Maytag moved the adoption of the following committee amendment:

Amend by striking out in Section One (1), line three, the figures "\$265.45" and insert in lieu thereof the figures "\$565.45."

Adopted.

The bill as amended was read for information.

Senator Maytag moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kinne, McKlveen, Mattes, Maytag, Moon, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—40.

The nays were:

None.

Absent or not voting:

Senators Crossley, DeArmand, Gale, Hopkins, Kimmel, Lambert, McManus, Nichols, Saunders, Stuckslager—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

REPORT OF COMMITTEE.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 350, a bill for an act to indemnify D. H. Fiester for personal injuries sustained by him while employed at the Hospital for the Insane at Independence, Iowa, beg leave to report that they

have had the same under consideration and recommend the same do pass.

F. L. MAYTAG,
Chairman.

Ordred passed on file.

THIRD READING OF BILLS.

House File No. 350, a bill for an act to indemnify D. H. Fiester for personal injuries sustained by him while employed at the 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 bill was read for information.

Senator Dunham moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamison of Page, Jamison of Clark, Jones, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—47.

The nays were:

None.

Absent or not voting:

Senators Kimmel, McManus, Stuckslager—3.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

REPORT OF COMMITTEE.

Senator Maytag, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 489, a bill for an act making provision to pay

a deficit in the fund of the State Board of Health bacteriological laboratory at Iowa City, beg leave to report that they have had the same under consideration and recommend the same be reported back to the Senate without recommendation.

F. L. MAYTAG,
Chairman.

Adopted.

Bill referred to Sifting Committee.

INTRODUCTION OF BILLS.

By Senator Wilson of Fayette, Senate File No. 372, a bill for an act legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa.

A BILL for an act legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa, in purchasing grounds for park, and appropriating money from the park fund in partial payment of the same, and any and all acts of the City Treasurer of said city in the payment of warrants drawn on the park fund by the City Clerk of said city.

WHEREAS, At a meeting of the city council of the city of Oelwein, held on the thirteenth (13th) day of March, One Thousand Nine Hundred and Three (1903), a resolution was adopted by said city council to submit to the qualified electors of said city of Oelwein the question of voting a two mill tax levy upon the assessed property within said city, for the purpose of purchasing suitable real property for a public park for said city, said levy to continue for five (5) years from date of levy; and,

WHEREAS, Proper proclamation was made and notice given of an election upon the question of making said tax levy for the purpose of purchasing suitable real property for a public park for said city; and,

WHEREAS, Said proposition was submitted to the qualified electors of said city, at the city election of said city, held March 30, A. D. One Thousand Nine Hundred and Three (1903); and,

WHEREAS, A majority of the legal voters voting at said election voted in favor of said tax levy; and,

WHEREAS, On the 8th day of September, A. D. One Thousand Nine Hundred and Three (1903), said city council levied, in pursuance of said election, a two mill tax for public park fund, which public park fund tax has annually thereafter been levied; and,

WHEREAS, On the 30th day of July, A. D. One Thousand Nine Hundred and Six (1906), the city council of said city, by resolution duly adopted, instructed the mayor and clerk of said city to enter into a contract with one G. A. Oelwein for the purchase of the following described real property for park purposes: The north two-thirds (2-3) and the east one-half (1-2) of the southwest one-fourth (1-4) of Section Thirty-three (33), Township Ninety-one (91) North, Range Nine (9), West of the Fifth P. M., in Fayette county, Iowa, and to pay for the same in the following manner: One Thousand Dollars (\$1,000.00) at the time of signing the

contract and Seven Thousand One Hundred and Fifty Dollars (\$7,150.00) on the 31st day of May, A. D. One Thousand Nine Hundred and Twenty-one (1921), and instructed the City Clerk to draw a warrant on the park fund in the sum of One Thousand Dollars (\$1,000.00) as first payment on said contract; and,

WHEREAS, On the 30th day of July, A. D. One Thousand Nine Hundred and Six (1906), the Mayor and Clerk of said city did enter into a contract with the said G. A. Oelwein for the purchase of said above described real property for a public park for said city; and,

WHEREAS, The City Clerk of said city did, on the 30th day of July, A. D. One Thousand Nine Hundred and Six (1906), draw a warrant on the park fund of said city in the sum of One Thousand Dollars (\$1,000.00) in favor of the said G. A. Oelwein; and,

WHEREAS, Said city warrant drawn on the park fund was duly presented to the City Treasurer of said city and by him paid out of said park fund; and,

WHEREAS, There are doubts as to the legality of the proceedings and actions of said city council in purchasing said ground for park purposes in the way and manner hereinbefore set forth; and,

WHEREAS, There are also doubts as to the legality and validity of the action of said City Treasurer in the payment of said warrant drawn on the park fund in the way and manner hereinbefore set forth; therefore,

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That all proceedings of the city council of the city of Oelwein, Iowa, with reference to the purchase of the real property for park purposes, as set out in the preamble hereto, are hereby legalized and made of the same validity, force, and effect as if all the requirements and provisions of the law applicable thereto had been fully complied with, and that the purchase of said real property for park purposes is hereby declared to be valid and legal, and that the action of said City Treasurer in the payment of said warrant in the way and manner set forth in the preamble hereto is hereby legalized and validated so as to be of the same force and effect as if each and every provision of the statute of the State of Iowa, with reference thereto, had been strictly complied with.

SEC. 2. Nothing in this act shall in any manner affect pending litigation.

SEC. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Register and Leader, a newspaper published in Des Moines, Iowa, and the Oelwein Register, a newspaper published in Oelwein, Iowa, without expense to the State.

Read first and second time and referred to Sifting Committee.

THIRD READING OF BILLS.

House substitute amendment for Senate substitute for Senate File No. 77, 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, was taken up and considered.

The bill was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Clark, Crossley, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kinne, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—44.

The nays were:

None.

Absent or not voting:

Senators Burgess, DeArmand, Dunham, Kimnel, McManus, Young—6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

House File No. 315, a bill for an act to provide for agricultural extension work and for a correspondence school of agriculture by the Iowa State College of Agriculture and Mechanic Arts, and making appropriation therefor, was taken up and considered.

Senator Maytag moved that the vote by which House File No. 315 passed the Senate be reconsidered.

Carried.

Senator Maytag moved that the vote by which the bill passed to its third reading be reconsidered.

Carried.

Senator Maytag moved to reconsider the vote by which the amendment to Section Two (2), offered by him, was adopted.

Carried.

By consent the amendment was withdrawn.

Senator Maytag moved the adoption of the following amendment:

Amend by striking out all of Section Two (2) and renumber Section Three (3) as Section Two (2).

Adopted.

Senator Maytag moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kinne, Lambert, Mattes, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton—40.

The nays were:

None.

Absent or not voting:

Senators Allen, Dunham, Gale, Kimmel, McKlveen, McManus, Moon, Smith of Mitchell, Turner, Young—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. 421, 287, 171, 130.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 130, a bill for an act to amend Section Three Hundred and Eight (308) of Supplement to the Code, as amended by Chapter Eleven (11),

acts of the Thirty-first General Assembly, relating to the compensation of County Attorneys.

Also:

House File No. 171, a bill for an act to amend Section Thirteen Hundred and Seventy-three (1373) of the Code, relating to the correction of erroneous assessments.

Also:

House File No. 287, a bill for an act to amend the law as it appears in Section Sixteen Hundred and Ten (1610) of the Supplement to the Code, in relation to corporations for pecuniary profit.

Also:

House File No. 421, a bill for an act to repeal Section Two Thousand and Twenty-six (2026) of the Supplement to the Code, and Chapter Eighty-seven (87) of the acts of the Thirty-first General Assembly, and to enact a substitute therefor, relating to street railways over highways.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

The Journal of yesterday was taken up, corrected and approved.

Senator Elerick, moved that the Senate request the recall from the House of House File No. 477.

Carried.

Senator Saunders called up his motion to reconsider the vote by which the Senate refused to concur in House amendment to Senate File No. 198.

The motion to reconsider prevailed.

Senator Saunders moved that the Senate concur in the following House amendment to Senate File No. 198.

Amend by striking out the following words in line four of Section One (1): "Fourteen Hundred Dollars (\$1,400)," and insert in lieu thereof the following: "Twelve Hundred Dollars (\$1,200)."

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Clark, DeArmand, DeWolf, Dowell, Elerick, Ericson, Frudden, Gilliland, Hopkins, Jackson, Jones, Kinne, Lambert,

Mattes, Maytag, Moon, Nichols, Peterson, Saunders, Smith of Mitchell, Turner, Warren, Wilson of Clinton—23.

The nays were:

Senators Allen, Bleakly, Bruce, Burgess, Crossley, Foley, Gale, Hughes, Jamieson of Page, Jamison of Clarke, McKlveen, Seeley, Smith of Des Moines, Wade, Whiting—15.

Absent or not voting:

Senators Dunham, Eckles, Kimmel, McManus, Newberry, Stirton, Stookey, Stuckslager, Taylor, Whipple, Wilson of Fayette, Young—12.

So the amendment was not concurred in.

Senator Elerick moved that the Senate adjourn until 2 o'clock P.M.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P.M., President Garst presiding.

PETITIONS AND MEMORIALS.

Senator Maytag presented petition of residents of Jasper county, Iowa, urging the passage of House File No. 461, relative to the creation of an examining board for osteopaths.

Referred to Sifting Committee.

Senator Mattes presented petition of residents of the Forty-eighth Senatorial district in favor House File No. 461, providing for an examining board for osteopaths.

Referred to Sifting Committee.

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 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-second General Assembly; the Acting Assistant Clerk of the House, three days; First Assistant Secretary of the Senate, three days; Assistant Journal Clerks of the House, one day; Journal Clerks of the Senate, one day; Engrossing Clerk of the House, three days; Engrossing Clerk of the Senate, three days; Assistant Postmistress, one day; Mail Carrier, one day; 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 same compensation per day for such extra time as they now receive.

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. 242, a bill for an act to create a commission to examine, revise and codify the laws relating to the public schools, and such other purposes as may be incident 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 House was asked:

Senate File No. 351, a bill for an act to authorize the sale of the southwest quarter of Section 27, Township 78 north, Range 24 west of the 5th principal meridian, known as the camp ground of the Iowa National Guard, and use the proceeds of the sale, or so much thereof as may be necessary, in the purchase and improvement of another camp ground for the said Guard.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House concurrent resolution relative to retaining certain employes after adjournment to complete the work of the session of the Thirty-second General Assembly.

By unanimous consent the concurrent resolution was taken up for consideration.

Senator Elerick moved that the Senate concur in the House concurrent resolution.

Carried.

Senate File No. 242, a bill for an act to create a commission to examine, revise and codify the laws relating to the public schools, and such other purposes as may be incident thereto.

Passed on file.

Senate File No. 351, a bill for an act to authorize the sale of the southwest one-quarter (1-4) of Section Twenty-seven (27), Township Seventy-eight (78) North, Range Twenty-four (24) West of the 5th P. M., known as the camp ground of the Iowa National Guard and use the proceeds of the sale, or so much thereof as may be necessary, in the purchase and improvement of another camp ground for the said Guard.

Passed on file.

The Sifting Committee returned to the Senate Senate File No. 489.

THIRD READING OF BILLS.

Senate File No. 372, a bill for an act legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa, in purchasing grounds for park and appropriating money from the park fund in partial payment of the same, and any and all acts of the City Treasurer of said city in the payment of warrants drawn on the park fund by the City Clerk of said city, was taken up and considered.

Senator Wilson of Fayette moved that the rules by which no bill shall be read a second and third time on the same day be suspended.

Carried.

The bill was read for information.

Senator Wilson of Fayette moved that the rule be suspended, 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 Allen, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gillil-

land, Hughes, Jackson, Jamison of Clarke, Jones, Lambert, Mc-Klveen, McManus, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton—39.

The nays were:

None.

Absent or not voting:

Senators Bleakly, Dunham, Gale, Hopkins, Kimmel, Jamieson of Page, Kinne, Saunders, Wade, Whiting, Young—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

House File No. 308, a bill for an act granting the use of public highways for the laying of water mains and pipes and the setting of electric wire poles thereon, was taken up and considered.

Senator Warren moved that the Senate concur in the following House amendments:

Amend by striking out the title and substituting the following:

A bill for an act authorizing the Board of Supervisors to grant to municipalities the use of the public highway for the laying of water mains and pipes, and fixing the liability for damages arising from the construction thereof.

Strike out all after the enacting clause and insert the following:

SECTION 1. Upon application to the Board of Supervisors of any county by any municipality for permission to construct its water mains and lay its pipes in the public highway from such municipality to its reservoir, the said board may grant the same upon condition that it shall not in any manner interfere with the public travel. The applicant shall be responsible for all damages that may arise from such construction, or from the same not being kept in repair.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Lambert, Mc-Klveen, Mattes, Maytag, Moon, Newberry, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton,

Stokey, Stuckslager, Taylor, Turner, Warren, Whiting, Wilson of Clinton—37.

The nays were:

None.

Absent or not voting:

Senators Bleakly, Dunham, Gale, Hopkins, Kimmel, Kinne, McManus, Nichols, Saunders, Wade, Whipple, Wilson of Fayette, Young—13.

So the amendments were concurred in.

INTRODUCTION OF BILLS.

By Senator Smith of Mitchell, Senate Joint Resolution No. 6:

JOINT RESOLUTION fixing the number and compensation of employes in the Department of State at the seat of government.

Be It Resolved by the General Assembly of the State of Iowa:

Until July 1, 1909, 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 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 not to exceed the sum of	3,000

FOR THE OFFICE OF AUDITOR OF STATE.

One chief clerk in the insurance department at a salary of	1,800
One securities clerk in the insurance department, who shall give bond, at a salary of.....	1,500
One fees clerk in the insurance department, who shall give bond, at a salary of.....	1,400
Extra clerical assistance in the insurance department not to exceed the sum of	1,500
One chief clerk in the revenue department at a salary of	1,500
One chief clerk in the banking department at a salary of	1,500
One assistant clerk in the banking department at a salary of	1,000
Extra clerical assistance in the 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	1,800
Two stenographers at salaries, each, of.....	900
One janitor at a salary of	780
One chief clerk in the department of municipal accounting	1,500
Two clerks in the department of municipal accounting at	1,500
Two clerks in the department of municipal accounting at salaries, each, of.....	900
Extra clerical assistance and such other expenses as shall be approved by the Executive Council in the department of municipal accounting not to exceed the sum of	700

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 and for the Supreme Court room proper as the clerk may order, at a salary of	780

FOR THE OFFICE OF GOVERNOR.

One pardon and notarial clerk at a salary of	\$1,200
One requisition clerk at a salary of.....	1,300
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	780
Assistant help in janitor service not to exceed.....	400

FOR THE OFFICE OF RAILROAD COMMISSIONERS.

One clerk at a salary of.....	\$1,200
One stenographer at a salary of	900
For extra clerical assistance not to exceed.....	900

FOR THE OFFICE OF 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
Shipping help and cataloging in storage building and for additional clerical assistance not to exceed	2,000
Indexing vaults, if supplied with steel cases as contemplated, not to exceed	600
One janitor and messenger at a salary of	900

FOR THE OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION.

One stenographer at a salary of	\$ 900
One janitor at a salary of	780
For extra clerical assistance, not to exceed	500

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	\$ 840
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 ..	\$1,500
One bookkeeper 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 ..	840
For additional clerical assistance not to exceed....	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	780
One night watchman at a salary of	720

FOR THE EXECUTIVE COUNCIL.

One secretary at a salary of	\$1,800
One clerk at a salary of	1,500
One clerk at a salary of	1,000
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....	1,800

FOR THE BOARD OF CONTROL.

One chief accountant at a salary of not to exceed..	\$1,800
One storekeeper and clerk at a salary of not to ex-	

ceed	900
One estimate clerk at a salary of not to exceed....	900
Four stenographers and clerks at salaries, each, of not to exceed	900
One clerk and janitor at a salary of not to exceed.	780
For extra clerical assistance not to exceed.....	3,000

FOR THE DEPARTMENT OF GEOLOGICAL SURVEY.

One secretary and clerk at a salary of	\$1,100
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FOR WEATHER AND CROP SERVICE.

Director's salary	\$1,500
Clerical assistance not to exceed	720

FOR THE OFFICE OF STATE MINE INSPECTOR.

One clerk at a salary of	\$1,000
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FOR THE OFFICE OF THE STATE BOARD OF HEALTH.

One clerk and stenographer at a salary of.....	\$ 900
Extra clerical assistance not to exceed the sum of..	720

FOR THE OFFICE OF SUPREME COURT REPORTER.

One clerk at a salary of not to exceed.....	\$ 720
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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 at a salary of.....	720
For extra help as needed, including service of shipping clerk, not to exceed.....	780

FOR THE OFFICE OF THE STATE PHARMACY COMMISSION.

One secretary at a salary of.....	\$1,500
For extra clerical assistance not to exceed.....	130

FOR THE OFFICE OF THE FOOD AND DAIRY COMMISSIONER.

For one clerk at a salary of	\$1,000
For one clerk at a salary of.....	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.....	780
For the offices of the Pharmacy Department, Dairy Department, Mining Inspector and Labor Bureau there shall be one janitor, to be selected by the custodian, at a salary of.....	780
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 7 80
 For the offices of the Railroad Commissioners, Horti-
 cultural Department and Attorney-General there
 shall be one janitor, selected by them, at a salary
 of 7 80
 For the offices of the Library Commission, and for
 the Miscellaneous Department of the State Li-
 brary, there shall be one janitor, selected by them,
 at a salary of 7 80
 The last five janitors shall be upon the custodian's
 day 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 of not to ex-
 ceed 1,200
 One second assistant engineer at a salary of not to
 exceed 1,000
 One electrician and machinist at a salary of not to
 exceed 1,200
 One carpenter at a salary of 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 840
 Eight floor janitors at salaries, each, of 780
 One storage building janitor at a salary of 780
 One janitress, to have charge of the ladies' toilet
 rooms, at a salary of 780
 One elevator tender at a salary of 780
 Allowance for washing towels, not to exceed 200
 One florist for six months at a salary of not to exceed
 \$70 per month, or total of 420
 Two yard men for six months at salaries, each, of
 \$60 per month, or a total of 720
 Extra help as may be needed, not to exceed 720

FOR THE BOARD OF PAROLE.

One secretary at a salary of \$1,600
 One clerk and stenographer at a salary of 900

FOR THE BUREAU OF LABOR STATISTICS.

One clerk and statistician at a salary of \$ 900

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, carpenter, 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 incompetency, 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.

Senator Hughes moved that the rule by which no bill shall be read the second and third time on the same day be suspended for the consideration of Senate Joint Resolution No. 6:

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 refuses to concur in Senate amendments to the following bill, in which the concurrence of the House was asked:

House File No. 402, a bill for an act to limit the expenses, other than losses, of State mutual hail insurance associations, and to limit the compensation to be paid to officers, agents and employes of such 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 House was asked:

Senate File No. 322, a bill for an act to amend Section Twenty-two Hundred and Seventy (2270) of the Code, relating to settlement of 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. 336, a bill for an act amendatory of and additional to the law as it appears in Section Three (3), Chapter One Hundred and Sixteen (116), of the laws of the Thirty-first General Assembly of Iowa, relative to the practice of dentistry; and extending the time within which to file licenses issued prior to January 1, 1907, under certain conditions.

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 the following bill, in which the concurrence of the House was asked:

House File No. 484, a bill for an act to reimburse George S. Mornin and Guy A. Feely for expenses incurred in the election contest from the Sixty-sixth Representative district of Iowa, and to pay sundry persons for services, per diem, mileage and expenses rendered and incurred in connection with said election contest.

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 the following bill, in which the concurrence of the House was asked:

House File No. 231, a bill for an act to repeal Section Four Thousand Six Hundred (4600) of the Code, relative to the accounting for fees and compensation of justices of the peace and constables, and to enact in lieu thereof the following.

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 the following bill, in which the concurrence of the House was asked:

Senate File No. 315, a bill for an act to provide for agricultural extension work and for a correspondence school of agriculture by the Iowa State College of Agriculture and Mechanic Arts, and making appropriations therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House refuses to adopt the report of the conference committee on the following bill:

House File No. 379, a bill for an act to prohibit common carriers of passengers from issuing, furnishing or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act; also for annual reports and for the repeal of Chapter Ninety (90), laws of the Thirty-first General Assembly, and requests a further conference committee, and Speaker names as conference committee on part of the House: Grier of Poweshiek, Jones of Montgomery, Lee of Emmet and Hackler of Webster.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Joint Resolution No. 6, fixing the number and compensation of employes in the department of State at the seat of government, was taken up and considered.

The joint resolution was read for information.

Senator Crossley moved the adoption of the following amendment:

I move to amend the joint resolution by changing the figures "\$780.00" wherever they appear in the joint resolution, as pay to janitors and firemen, to "\$900.00."

On the adoption of the amendment, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Bleakly, Crossley, Dowell, Elerick, Foley, Frudden, Hughes, Jones, McKlveen, Stookey, Wade, Whiting, Wilson of Clinton, Young—14.

The nays were:

Senators Allen, Burgess, DeArmand, Gilliland, Jamieson of Page, Jamison of Clarke, Lambert, Mattes, Maytag, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Taylor, Turner, Whipple, Wilson of Fayette—19.

Absent or not voting:

Senators Bruce, Clarke, DeWolf, Dunham, Eckles, Ericson, Gale, Hopkins, Jackson, Kimmel, Kinne, McManus, Moon, Newberry, Saunders, Stuckslager, Warren—17.

So the amendment was lost.

Senator Ericson offered the following amendment and moved its adoption:

Ad dafter the heading "For the Historical Department" the following: "An assistant to the curator at a salary of \$1,200.00."

On the adoption of the amendment, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Bleakly, Bruce, Clark, Crossley, Dunham, Elerick, Ericson, Foley, Gilliland, Hughes, Jamieson of Page, Lambert, Mattes, Moon, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Warren, Whipple, Whiting, Young—23.

The nays were:

Senators Allen, Burgess, DeArmand, Dowell, Eckles, Frudden, Hopkins, Jackson, Jones, McKlveen, Maytag, Smith of Mitchell, Stirton, Turner, Wilson of Fayette, Wilson of Clinton—16.

Absent or not voting:

Senators DeWolf, Gale, Jamison of Clarke, Kimmel, Kinne, McManus, Newberry, Stookey, Stuckslager, Taylor, Wade—11.

So the amendment prevailed.

Senator Crossley offered the following amendment and moved its adoption:

I move to amend the joint resolution by changing the figures "\$780.00" wherever they appear in the joint resolution, as the salary of the janitor and janitress, to "\$840.00."

Senator Elerick moved the previous question on the amendment.

Carried.

On the adoption of the amendment, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Allen, Bleakly, Bruce, Crossley, DeWolf, Dowell, Dunham, Elerick, Foley, Gilliland, Hughes, Jackson, Jamison of Clarke, McKlveen, Mattes, Moon, Peterson, Seeley, Stookey, Wade, Warren, Whiting, Wilson of Clinton, Young—24.

The nays were:

Senators Burgess, Lambert, Maytag, Nichols, Smith of Des Moines, Smith of Mitchell, Stirton, Turner, Whipple, Wilson of Fayette—10.

Absent or not voting:

Senators Clark, DeArmand, Eckles, Ericson, Frudden, Gale, Hopkins, Jamieson of Page, Jones, Kimmel, Kinne, McManus, Newberry, Saunders, Stuckslager, Taylor—16.

So the amendment was adopted:

Senator Dunham moved the adoption of the following amendment:

I move to amend by changing the figures "\$840.00" where they apply to the Supreme Court bailiff in the joint resolution to "\$900.00."

Adopted.

Senator Bleakly moved the adoption of the following amendment:

Move to amend by changing the figures "\$720.00" where they apply to night watchmen of the historical department, in the joint resolution, to "\$840.00."

Adopted.

Senator Mattes moved the adoption of the following amendment:

Amend by adding to the employes of the State library office: "One legislative and general reference assistant at a salary of \$1,000.00 per annum."

Adopted.

Senator Crossley offered the following amendment and moved its adoption:

I move to amend the joint resolution by changing the figures "\$1,000.00" as the salary of the mail carrier with team and wagon, who shall also act as janitor for the secretary of the Executive Council and supply room, to "\$1,120.00."

Adopted.

Senator Clarke moved the adoption of the following amendment:

I move to amend the joint resolution by changing the figures "\$720.00" to "\$900.00" as they appear in the allowance for the State Board of Health.

Adopted.

Senator Stookey moved the adoption of the following amendment:

I move to amend by striking out the words and figures "\$1,600.00" as the compensation for the secretary of the Board of Pardons, and insert the figures "\$1,800.00" in lieu thereof.

Senator Jamison of Clarke moved the previous question.

Carried.

On the adoption of the amendment, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Stookey, Young—2.

The nays were:

Senators Bleakly, Burgess, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Lambert, McKlveen, McManus, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Mitchell, Stirton, Stuckslager, Turner, Warren, Whipple, Whiting, Wilson of Clinton—34.

Absent or not voting:

Senators Allen, Bruce, Clark, Frudden, Gale, Jamison of Clark Kimmel, Kinne, Mattes, Saunders, Smith of Des Moines, Taylor Wade, Wilson of Fayette—14.

So the amendment was lost.

Senator Elerick moved the previous question on the joint resolution.

Carried.

Senator Smith of Mitchell moved that the rule be suspended, the joint resolution be considered engrossed and read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Gilliland, Hopkins, Hughes, Jackson, Jamison of Clarke, McKlveen, Mattes, Maytag, Newberry, Peterson, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Warren, Whipple, Whiting, Wilson of Clinton, Young—32.

The nays were:

Senator Lambert—1.

Absent or not voting :

Senators Bruce, DeArmand, Frudden, Gale, Jamison of Page, Jones, Kimmel, Kinne, McManus, Moon, Nichols, Saunders, Smith of Des Moines, Taylor, Turner, Wade, Wilson of Fayette—17.

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 File No. 168.

HOUSE MESSAGES CONSIDERED.

House refuses to adopt the report of the conference committee on House File No. 379, a bill for an act to prohibit common carriers of passengers from issuing, furnishing or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act; also for annual reports, and for the repeal of Chapter Ninety (90), laws of the Thirty-first General Assembly, and requests a further conference committee, and Speaker names as conference committee on the part of the House: Grier of Poweshiek, Jones of Montgomery, Lee of Emmet and Hackler of Webster.

The President announced as conference committee on the part of the Senate: Senators Hopkins, Dunham, Newberry and Wilson of Clinton.

Senate File No. 336, a bill for an act amendatory and additional to the law as it appears in Section Three (3), Chapter One Hundred and Sixteen (116) of the laws of the Thirty-first General Assembly of Iowa, relative to the practice of dentistry, and extending the time within which to file licenses issued prior to January 1, 1907, under certain conditions.

Passed on file.

Senate File No. 322, a bill for an act to amend Section Twenty-two Hundred and Seventy (2270) of the Code, relating to settlement of insane patients.

Passed on file.

House has concurred in Senate amendments to House File

No. 484, a bill for an act to reimburse George S. Mornin and Guy A. Feely for expenses incurred in the election contest from the Sixty-sixth Representative district of Iowa, and to pay sundry persons for services, per diem, mileage and expenses rendered and incurred in connection with said election contest.

Passed on file.

House has concurred in Senate amendments to House File No. 231, a bill for an act to repeal Section Forty-six Hundred (4600) of the Code, relative to the accounting for fees and compensation of justices of the peace and constables, and to enact in lieu thereof the following.

Passed on file.

House has concurred in Senate amendments to House File No. 315, a bill for an act to provide for agriculture extension work and for a correspondence school of agriculture by the Iowa State College of Agriculture and Mechanic Arts, and making appropriations therefor.

Passed on file.

House refuses to concur in Senate amendments to House File No. 402, a bill for an act to limit the expenses, other than losses, of state mutual hail insurance associations, and to limit the compensation to be paid to officers, agents and employes of such associations.

Senator Turner moved that the Senate insist on its amendments and ask for a conference committee.

Carried.

The President announced as conference committee on House File No. 402, on the part of the Senate: Senators Whipple, Turner, Jackson and Bleakly.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 168, a bill for an act to amend the law as it appears in Sections Sixty-five (65) and Twenty-six Hundred and Twenty-seven (2627) of the

Supplement to the Code, and to amend Sections Eighty-seven (87), Ninety-nine (99) and One Hundred and Sixteen (116) of the Code, relating to the compensation of the Secretary to the Governor, the Deputy Superintendent of Public Instruction, the Deputy Secretary of State, the Deputy Auditor of State and the Deputy Treasurer of State; also to amend Section Two Hundred and Five (205) of the Code, in reference to Deputy Clerk of the Supreme Court.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

Chairman House Committee.

Ordered passed on file.

Senator Eckles, from the Committee on Claims, returned to the Senate Senate File No. 268, which was referred to the Sifting Committee.

Senator Jamison of Clarke moved that the Senate do now adjourn until 10 o'clock A.M. Munday.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, MONDAY, APRIL 8, A. D. 1907.

Senate met in regular session at 10 o'clock A. M., President Garst presiding.

Prayer was offered by the Rev. Alfred T. Bishop of Tama.

On request of Senator McKlveen, leave of absence was granted Senator Ericson on account of sickness.

PETITIONS AND MEMORIALS.

Senator Bleakly presented petition of residents of Le Mars, Iowa, favoring the passage of the law providing for a board of examiners for osteopaths.

Referred to Sifting Committee.

Senator Wade presented petition from Bristow, Iowa, asking that a law be passed providing for railroad passes to and from the State institutions for such persons as have friends in the institutions, and are unable to pay their fare.

Referred to Committee on Charitable Institutions.

Senator Wade presented petition from Bristow, Iowa, setting forth the necessity of a law making it compulsory upon children to attend Sabbath school.

Referred to Sifting Committee.

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. 492, a bill for an act amendatory of and additional to Chapter Fifteen (15) of the Code and Supplement to the Code, relative to the care and propagation of fish.

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. 486, a bill for an act to amend Sections Two Thousand and Eighty-four (2084), Two Thousand and Eighty-five (2085), Two Thousand and Eighty-six (2086), Two Thousand and Eighty-seven (2087) and Two Thousand and Ninety (2090) of the Supplement to the Code, relative to taxes in aid of railroads.

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. 367, a bill for an act to amend Section Thirteen Hundred and Three (1303) of the Code as amended, relative to the assessment of 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, in which the concurrence of the Senate is asked:

House File No. 493, a bill for an act increasing the powers and further defining the duties of the Board of Railroad Commissioners pertaining to the regulation, supervision and control of telegraph 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 House was asked:

Senate File No. 348, a bill for an act to legalize the actions of certain homes for destitute or unfortunate women and orphaned or abandoned children in certain cases, and the amendment of articles of incorporation 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 substitute amendment to Senate File No. 81, a bill for an act prohibiting the storage and transportation of powder into coal mines while miners or other employes are working therein.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Smith of Mitchell, Senate File No. 376:

A BILL for an act to define the duty of common carriers of freight, respecting the speed of cars of live stock, conferring additional powers upon the Board of Railroad Commissioners with relation thereto, and providing for the enforcement of the orders, rulings and regulations of the board.

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That it is hereby made the duty of all common carriers of freight within this State to move cars of live stock at the highest practicable speed consistent with reasonable safety.

SEC. 2. In order to enforce the duty prescribed in Section One (1), the Board of Railroad Commissioners shall immediately and from time to time investigate the practice of the common carriers with respect to the movement of live stock; and if it ascertains at any time that the common carriers or any of them are moving cars of live stock with the proper speed, then upon notice to any such common carrier or carriers, the said board shall prescribe the speed at which and the conditions under which cars of live stock shall be moved within this State by any such carrier or carriers. The order shall specify the time at which it shall go into effect, which shall be as soon as, in the judgment of the board, the carrier or carriers affected can, with reasonable diligence, readjust its or their time tables. The power to prescribe speed and determine conditions for the movement of cars of live stock within this State is hereby expressly conferred upon the said Board of Railroad Commissioners.

SEC. 3. Any order, ruling or regulation made by the board under this act shall be enforceable as provided in Section Two Thousand One Hundred and Nineteen (2119) of the Code.

SEC. 4. This act, being deemed of immediate importance, shall take effect upon its publication in the Register and Leader and Des Moines Capital, newspapers published at Des Moines, Iowa.

Read first and second time and referred to Sifting Committee.

HOUSE MESSAGES CONSIDERED.

House File No. 492, a bill for an act amendatory of and additional to Chapter Fifteen (15) of the Code and Supplement to the Code, relative to the care and propagation of fish.

Read first and second time and referred to Sifting Committee.

House File No. 486, a bill for an act to amend Sections Two Thousand and Eighty-four (2084), Two Thousand and Eighty-five (2085), Two Thousand and Eighty-six (2086), Two Thousand and Eighty-seven (2087) and Two Thousand and Ninety (2090) of the Supplement to the Code, relative to taxes in aid of railroads.

Read first and second time and referred to Sifting Committee.

House File No. 367, a bill for an act to amend Section One Thousand Three Hundred and Three (1303) of the Code as amended, relative to the assessment of taxes.

Read first and second time and referred to Sifting Committee.

House File No. 493, a bill for an act increasing the powers and further defining the duties of the Board of Railroad Commissioners pertaining to the regulation, supervision and control of telegraph companies.

Read first and second time and referred to Sifting Committee.

Senate File No. 348, a bill for an act to legalize the actions of certain homes for destitute or unfortunate women and orphaned or abandoned children in certain cases, and the amendment of articles of incorporation thereof.

Passed on file.

House has concurred in Senate amendments to House substitute amendment to Senate File No. 81, a bill for an act prohibiting the storage and transportation of powder into coal mines while miners or other employes are working therein.

Passed on file.

Senate File No. 339, a bill for an act to amend Section Five Thousand Six Hundred and Sixty-three of the Code as it appears in section of said number in the Supplement to the Code, relative to the number of guards in the State penitentiaries,

The bill was read for information.

Senator Saunders moved that the rule be suspended, the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

Further consideration of the bill was postponed.

House File No. 490, a bill for an act to amend Section Two Thousand One Hundred and Sixteen (2116) of the Code, relating to the duties of railroads as to furnishing transportation, was taken up and considered.

The bill was read for information.

Further consideration of the bill was deferred.

Senate resumed consideration of Senate File No. 339, a bill for an act to amend Section Five Thousand Six Hundred and Sixty-three (5663) of the Code as it appears in the section of said number in the Supplement to the Code, relative to the number of guards in the State penitentiaries.

Senator Saunders moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jamison of Clarke, Jones, Lambert, McKlveen, Mattes, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Ericson, Hopkins, Jamieson of Page, Kimmel, Kinne, McManus, Maytag, Moon, 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. 225 was returned to the Senate by Committee on Appropriations.

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 amended and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 349, a bill for an act to repeal Section Thirteen Hundred and Forty-six-d (1346-d) of the Supplement to the Code, relating to the assessment of express companies for taxation, 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 amended and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 227, a bill for an act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which may now have or hereafter have a population of fifty thousand, or cities under special charter which now have or may hereafter have, a population of fifty thousand inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement 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:

Substitute for Senate File No. 311, a bill for an act to amend Chapter One (1), Title VII (7) of the Code, relating to the improvement of main roads.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker of the House names as conference committee on part of House on House File No. 402, a bill for an act to limit the expenses other than losses of State mutual hail insurance associations, and to limit the compensation to be paid to officers, agents and employes of such associations: Hanson of Humboldt, Lee of Emmet, Darrah of Lucas and Holmes of Kossuth.

C. R. BENEDICT,
Chief Clerk.

Senate resumed consideration of House File No. 490.

Senator Gilliland moved the adoption of the following amendment:

I move to amend by inserting in lieu of words stricken by the bill, the words "use reasonable foresight and diligence to provide motive power and cars adequate to business reasonably to be expected and."

Further consideration of the bill was postponed.

Senator Young moved that when the Senate adjourn it be until 1:30 o'clock P.M.

Carried.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 252, a bill for an act to reimburse the widow and heirs of the late J. W. Cliff for expenses incurred by him in his contest for the office of Secretary of the Senate of the Twenty-fourth General Assembly.

Also:

Senate File No. 326, a bill for an act to legalize certain ordinances and amendments to the ordinances passed by the city council of Tama, Tama county, Iowa, and to legalize all the official acts of the city officials of Tama, Tama county, Iowa, acting as such under said ordinances and amendments.

Also:

Senate File No. 20, a bill for an act to repeal Chapter Five (5) of Title Nine (9) of the Code, and enact a substitute therefor.

Also:

Senate File No. 106, 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, and for the extension of the State dam and dykes at Wall Lake.

Also:

Senate File No. 370, a bill for an act to legalize the election of the town council of the incorporated town of Belmond, Wright county, Iowa, and all the acts thereof during the last ten years.

Also:

Senate File No. 355, a bill for an act authorizing any interurban or other railway over and across the lands of the Iowa State Hospital for other aillway over and across the lands of the Iowa State Hospital for the Insane at Mount Pleasant, Henry county, Iowa, and authorizing the Executive Council to fix the terms and conditions thereof.

Also:

Senate File No. 275, a bill for an act to amend Sections Three (3) and Four (4) of Chapter Three (3) of the acts of the Thirty-first General Assembly, relating to printing and binding and distribution of State reports and documents.

Also:

Senate File No. 318, a bill for an act to amend Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly, relating to the definition of adulterated foods, and fixing standards for certain food products.

Also:

Senate File No. 152, a bill for an act to repeal Sections Twenty-eight Hundred and Fifty-five of the Code Supplement and Twenty-eight Hundred and Nine (2809) of the Code, and to enact substitutes therefor, and to amend Sections Twenty-six Hundred and Eight (2608) of the Code Supplement and Twenty-six Hundred and Fifty (2650) of the Code, relating to the handling of the principal and interest of the permanent school fund.

Also:

Senate File No. 272, a bill for an act additional to and amendatory of the law as it appears in Title Fourteen (14) of the Code, relative to rights of property and the conveyance thereof.

Also:

Senate File No. 207, a bill for an act to empower the State Educational Board of Examiners to issue State certificates to graduates of higher institutions of learning.

Also:

Senate File No. 361, a bill for an act to authorize and direct Boards of Supervisors in the State of Iowa in counties adjoining and bordering upon the state line to meet the authorities in control and charge of the public highways in adjoining counties of other states and agree upon and assign the portion or part of each public highway upon the state line between such states to be kept in repair by the authorities in the State of Iowa and such other states.

W. B. SEELEY,
Chairman.

Ordered passed on file.

Senator Seeley, 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. 328, a bill for an act authorizing the employment of convict labor in the care of the State's property, and for other purposes.

Also:

Senate Joint Resolution No. 5, a joint resolution for the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORTS OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 252, a bill for an act to reimburse the widow and heirs of the late J. W. Cliff for expenses incurred by him in his contest for the office of Secretary of the Senate of the Twenty-fourth General Assembly.

Also:

Senate File No. 326, a bill for an act to legalize certain ordinances and amendments to the ordinances passed by the city council of Tama, Tama county, Iowa, and to legalize all the official acts of the city officials of Tama, Tama county, Iowa, acting as such under said ordinances and amendments.

Also:

Senate File No. 20, a bill for an act to repeal Chapter Five (5) of Title Nine (9) of the Code, and enact a substitute therefor.

Also:

Senate File No. 106, 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, and for the extension of the State dam and dykes at Wall Lake.

Also:

Senate File No. 370, a bill for an act to legalize the election of the town council of the incorporated town of Belmond, Wright county, Iowa, and all the acts thereof during the last ten years.

Also:

Senate File No. 355, a bill for an act authorizing any interurban or other railway company to acquire a right of way for an interurban or other railway over and across the lands of the Iowa State Hospital for the Insane at Mount Pleasant, Henry county, Iowa, and authorizing the Executive Council to fix the terms and conditions thereof.

Also:

Senate File No. 275, a bill for an act to amend Sections Three (3) and Four (4) of Chapter Three (3) of the acts of the Thirty-first General Assembly, relating to printing and binding and distribution of State reports and documents.

Also:

Senate File No. 318, a bill for an act to amend Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly, relating to the definition of adulterated foods, and fixing standards for certain food products.

Also:

Senate File No. 152, a bill for an act to repeal Sections Twenty-eight Hundred and Fifty-five of the Code Supplement and Twenty-eight Hundred and Nine (2809) of the Code, and to enact substitutes therefor, and to amend Sections Twenty-six Hundred and Eight (2608) of the Code Supplement and Twenty-six Hundred and Fifty (2650) of the Code, relating to the handling of the principal and interest of the permanent school fund.

Also:

Senate File No. 272, a bill for an act additional to and amendatory of the law as it appears in Title Fourteen (14) of the Code, relative to rights of property and the conveyance thereof.

Also:

Senate File No. 207, a bill for an act to empower the State Educational Board of Examiners to issue State certificates to graduates of higher institutions of learning.

Also:

Senate File No. 361, a bill for an act to authorize and direct Boards of Supervisors in the State of Iowa in counties adjoining and bordering upon the state line to meet the authorities in control and charge of the public highways in adjoining counties of other states and agree upon and assign the portion or part of each public highway upon the state line between such states to be kept in repair by the authorities in the State of Iowa and such other states.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

Senator Seeley, from the Joint Committee on Enrolled Bills, submitted the following reoprt:

MR. PRESIDENT—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate File No. 328, a bill for an act authorizing the employment of convict labor in the care of the State's property, and for other purposes.

Also:

Senate Joint Resolution No. 5, a joint resolution for the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

Senator Seeley, 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. 100, a bill for an act making appropriations for the State Normal School.

Also:

House File No. 303, a bill for an act to repeal Sections Three Hundred and Seventythree (373), Three Hundred and Seventy-four (374), Three Hundred and Seventy-five (375) and Three Hundred and Seventy-six (376) of the Code, in relation to notaries public, and enact substitutes therefor; also to amend Section Sixty-eight (68) of the Code, in relation to the registration of commissions.

Also:

House File No. 338, a bill for an act to amend Chapter One Hundred and Twenty (120), laws of the Thirty-first General Assembly, relating to the State sanatorium at Iowa City, further defining the duties of the Board of Control regarding tuberculosis, and making additional appropriations.

Also:

House File No. 353, a bill for an act to amend the law as it appears in Section Eighteen (18) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to repeal Section Twelve (12) of Chapter Seventy-seven (77) of the acts of the Thirtieth General Assembly, and Section Fourteen (14) of Chapter Ninety-one (91) of the acts of the Thirty-first General Assembly, and to enact substitutes therefor, and to provide for stoppage of compensation due officers and men of the Iowa National Guard for loss or damage to property issued to them by the State for military purposes.

Also:

House File No. 403, a bill for an act to enlarge the powers and further define the duties of the Board of Railroad Commissioners.

Also:

House File No. 404, a bill for an act to amend the law as it appears in Section One Thousand Five Hundred and Thirty (1530) of the Supplement to the Code, relating to county road fund, and how it is to be paid out.

Also:

House File No. 462, a bill for an act to release and convey to Mary A. T. Sanders all right, title and interest of the State of Iowa in or to the following described real estate, to-wit: A strip of land situated in the west end of Lot Three (3), Section Three (3), Township Seventy-nine (79) North, Range Six (6), West of the 5th P. M., in Johnson county, Iowa, and lying between the public highway known as the "Foster road" and the bank of the Iowa river, and extending north one hundred and

fifty (150) feet from the east end of the Terrill dam, situated between Lots Three (3) and Six (6) in said Section Three (3), and south, one hundred and fifty (150) feet from said dam.

Also:

House File No. 468, a bill for an act authorizing cities having a population of fifty thousand (50,000) or over to erect a city hall, to purchase the necessary ground therefor, and to levy a special tax for the purpose of paying for the same, and repealing Chapter Twenty-seven (27) of the laws of the Thirtieth General Assembly.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 252, a bill for an act to reimburse the widow and heirs of the late J. W. Cliff for expenses incurred by him in his contest for the office of Secretary of the Senate of the Twenty-fourth General Assembly.

Also:

Senate File No. 326, a bill for an act to legalize certain ordinances and amendments to the ordinances passed by the city council of Tama, Tama county, Iowa, and to legalize all the official acts of the city officials of Tama, Tama county, Iowa, acting as such under said ordinances and amendments.

Also:

Senate File No. 20, a bill for an act to repeal Chapter Five (5) of Title Nine (9) of the Code, and enact a substitute therefor.

Also:

Senate File No. 106, 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, and for the extension of the State dam and dykes at Wall Lake.

Also:

Senate File No. 370, a bill for an act to legalize the election of the town council of the incorporated town of Belmond, Wright county, Iowa, and all the acts thereof during the last ten years.

Also:

Senate File No. 355, a bill for an act authorizing any interurban or other railway company to acquire a right of way for an interurban or

other railway over and across the lands of the Iowa State Hospital for the Insane at Mount Pleasant, Henry county, Iowa, and authorizing the Executive Council to fix the terms and conditions thereof.

Also:

Senate File No. 275, a bill for an act to amend Sections Three (3) and Four (4) of Chapter Three (3) of the acts of the Thirty-first General Assembly, relating to printing and binding and distribution of State reports and documents.

Also:

Senate File No. 318, a bill for an act to amend Chapter One Hundred and Sixty-six (166), laws of the Thirty-first General Assembly, relating to the definition of adulterated foods, and fixing standards for certain food products.

Also:

Senate File No. 152, a bill for an act to repeal Sections Twenty-eight Hundred and Fifty-five of the Code Supplement and Twenty-eight Hundred and Nine (2809) of the Code, and to enact substitutes therefor, and to amend Sections Twenty-six Hundred and Eight (2608) of the Code Supplement and Twenty-six Hundred and Fifty (2650) of the Code, relating to the handling of the principal and interest of the permanent school fund.

Also:

Senate File No. 272, a bill for an act additional to and amendatory of the law as it appears in Title Fourteen (14) of the Code, relative to rights of property and the conveyance thereof.

Also:

Senate File No. 207, a bill for an act to empower the State Educational Board of Examiners to issue State certificates to graduates of higher institutions of learning.

Also:

Senate File No. 361, a bill for an act to authorize and direct Boards of Supervisors in the State of Iowa in counties adjoining and bordering upon the state line to meet the authorities in control and charge of the public highways in adjoining counties of other states and agree upon and assign the portion or part of each public highway upon the state line between such states to be kept in repair by the authorities in the State of Iowa and such other states.

Also:

Senate File No. 328, a bill for an act authorizing the employment of convict labor in the care of the State's property, and for other purposes.

Also:

Senate Joint Resolution No. 5, a joint resolution for the appointment

of a joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate.

W. B. SEELEY,
Chairman.

Adopted.

The President announced that he had signed, in the presence of the Senate, Senate Files No. 252, 326, 355, 20, 106, 370, 275, 318, 152, 272, 207, 361, 328, House Files No. 468, 462, 404, 403, 353, 338, 303, 100, and Senate Joint Resolution No. 5.

The Journal of yesterday was taken up, corrected and approved.

HOUSE MESSAGES CONSIDERED.

Senate File No. 349, a bill for an act to repeal Section One Thousand Three Hundred and Forty-six-d (1346-d) of the Supplement to the Code, relating to the assessment of express companies for taxation, and to enact a substitute therefor.

Passed on file.

Speaker of the House names as conference committee on part of House on House File No. 402, a bill for an act to limit the expenses other than losses of state mutual hail insurance associations, and to limit the compensations to be paid to officers, agents, and employes of such associations: Hanson of Humboldt, Lee of Emmet, Darrah of Lucas and Holmes of Kossuth.

Passed on file.

House failed to pass substitute for Senate File No. 311, a bill for an act to amend Chapter One (1), Title Seven (7) of the Code, relating to the improvement of main roads.

Passed on file.

House amended and passed Senate File No. 227, a bill for an act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which may now or hereafter have a population of fifty thousand, or cities under special charter which now have or may hereafter have a population of fifty thousand inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement thereof.

Passed on file.

Senator Gale filed the following motion :

I move to reconsider the vote by which the Senate concurred in House amendments to Senate File No. 338.

A. H. GALE.

Senator Saunders moved that the Senate do now adjourn.

Carried.

Senate adjourned until 1:30 o'clock P. M.

AFTERNOON SESSION.

Senate met at 1:30 o'clock P.M., President Garst presiding.

Senator Dowell moved that the Senate take a recess for fifteen minutes.

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. 339, a bill for an act to amend Section Five Thousand Six Hundred and Sixty-three (5663) of the Code as it appears in the section of said number in the Supplement to the Code, relative to the number of the guards in the State penitentiaries.

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. 198, a bill for an act to amend Section One (1), Chapter Twenty-one (21) of the acts of the Thirtieth General Assembly, relating to compensation of County Recorders, and asks for a conference committee, and the Speaker names as conference committee on part of the House: Van Houten of Taylor, Swift of Shelby, Corrie of Ida and Kelley of Polk.

C. R. BENEDICT,

Chief Clerk.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 315, a bill for an act to provide for agricultural extension work by the Iowa State College of Agriculture and Mechanic Arts and making appropriations therefor.

Also:

House File No. 350, a bill for an act to indemnify D. H. Flester for personal injury sustained by him while employed at the Hospital for the Insane at Independence, Iowa.

Also:

House File No. 414, a bill for an act to repeal Section Twenty-nine Hundred and Thirty-five (2935) of the Code, and to enact a substitute therefor, relating to indexes to be kept by County Recorders.

Also:

House File No. 446, a bill for an act to amend Section One (1), Chapter Eighty-five (85), acts of the Thirtieth General Assembly, relating to the expenses of the Bureau of Labor Statistics.

Also:

House File No. 476, a bill for an act to repeal the law as it appears in Section Twenty-four Hundred and Three (2403) of the Code and Section Twenty-four Hundred and Three (2403) of the Supplement to the Code, and to enact a substitute therefor, relating to the selling or giving of intoxicating liquors to minors, intoxicated persons, or to persons in the habit of becoming intoxicated.

Also:

House File No. 483, a bill for an act to legalize the acts of the town council of Bayard, Guthrie county, Iowa, the votes of the electors thereof, and irregularities in a certain election held on March 25, 1907, thereby.

Also:

House File No. 491, a bill for an act to legalize the orders, acts, proceedings and resolutions passed by the council of the town of Milford, Dickinson county, Iowa, in connection with submitting the proposition of granting a franchise to the Midland Telephone company at the municipal election.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

Chairman House Committee.

Ordered passed on file.

House substitute amendment for Senate File No. 227, a bill for an act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities which now have or may have hereafter a population of fifty thousand (50,000) inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide

penalties for the violation and enforcement thereof, was taken up, considered, and read first and second time.

Senator Gilliland moved that the rule by which no bill shall be read a second and third time on the same day be suspended.

Carried.

The bill was read for information.

Senator Gilliland moved that the rule be suspended and the reading just had be considered its third reading.

On the motion, a roll call was demanded.

On the question, "Shall the motion prevail?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gilliland, Hughes, Jackson, Jamison of Clarke, Jones, McKlveen, Mattes, Nichols, Peterson, Seeley, Smith of Mitchell, Stookey, Stuckslager, Turner, Warren, Whipple, Whiting, Wilson of Clinton, Young—30.

The nays were:

Senators Clark, DeArmand, Gale, Lambert, Maytag, Moon, Saunders, Smith of Des Moines, Taylor, Wade, Wilson of Fayette—11.

Absent or not voting:

Senators Allen, Ericson, Hopkins, Jamieson of Page, Kimmel, Kinne, McManus, Newberry, Stirton—9.

So the motion prevailed.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeWolf, Dowell, Dunham, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Hughes, Jackson, Jamison of Clarke, Jones, Lambert, McKlveen, Mattes, Maytag, Nichols, Peterson, Seeley, Smith of Mitchell, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—36.

The nays were:

Senators DeArmand, Moon—2.

Absent or not voting:

Senators Bruce, Ericson, Hopkins, Jamieson of Page, Kimmel, Kinne, McManus, Newberry, Saunders, Smith of Des Moines, Stirton, Taylor—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senate resumed consideration of House File No. 490.

Senator Gilliland moved the previous question on the pending amendment.

Carried.

On the adoption of the amendment offered by Senator Gilliland, a roll call was demanded.

On the question, "Shall the amendment be adopted?"

The yeas were:

Senators Bleakly, Bruce, Clark, DeArmand, DeWolf, Dowell, Dunham, Elerick, Foley, Frudden, Gale, Gilliland, Jackson, Jamieson of Page, Jamison of Clarke, Lambert, McKlveen, Maytag, Moon, Nichols, Saunders, Smith of Des Moines, Stookey, Stuckslager, Taylor, Warren, Whipple—27.

The nays were:

Senators Allen, Burgess, Eckles, Hughes, Mattes, Peterson, Smith of Mitchell, Stirton, Turner, Wade, Whiting, Wilson of Fayette, Young—13.

Absent or not voting:

Senators Crossley, Ericson, Hopkins, Jones, Kimmel, Kinne, McManus, Newberry, Seeley, Wilson of Clinton—10.

So the amendment was adopted.

Senator Stirton moved the previous question.

Carried.

Senator Allen moved that the bill be indefinitely postponed.

Carried.

Senator Bruce moved that the rules be suspended and substitute for House File No. 79, with the report of the Committee

on Appropriations recommending indefinite postponement, be taken up for consideration.

On the motion to suspend the rules, a roll call was demanded.

On the question, "Shall the motion prevail?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Lambert, McKlveen, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Whipple, Whiting, Wilson of Clinton, Young—38.

The nays were:

None.

Absent or not voting:

Senators Dunham, Ericson, Frudden, Kimmel, Kinne, McKlveen, Mattes, Maytag, Saunders, Taylor, Warren, Wilson of Fayette—12.

So the motion prevailed.

Substitute for House File No. 79, a bill for an act providing for the compilation of a roster of Iowa soldiers, sailors and marines 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; providing for the manner of its publication, distribution and sale and making an appropriation therefor, with report of committee recommending indefinite postponement, was taken up and considered.

The motion to adopt the report of the committee was lost.

Senator Smith of Mitchell moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, De-

Armand, DeWolf, Dowell, Eckles, Elerick, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Young—41.

The nays were:

None.

Absent or not voting:

Senators Dunham, Ericson, Frudden, Kimmel, Kinne, McManus, Taylor, Warren, Whiting—9.

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 has signed, in the presence of the Senate, House Files No. 350, 315, 414, 446, 476, 483, 491.

HOUSE MESSAGES CONSIDERED.

Senate File No. 339, a bill for an act to amend Section Five Thousand Six Hundred and Sixty-three (5663) of the Code, as it appears in the section of said number in the Supplement to the Code, relative to the number of the guards in the State penitentiaries.

Passed on file.

House insists upon its amendments to Senate File No. 198, a bill for an act to amend Section One (1), Chapter Twenty-one (21), acts of the Thirtieth General Assembly, relating to compensation of County Recorders, and asks for a conference committee, and the Speaker names as conference committee on part of the House: Van Houten of Taylor, Swift of Shelby, Corrie of Ida and Kelley of Polk.

Senator Saunders moved that the President appoint a conference committee on Senate File No. 198.

The President announced as conference committee on Senate File No. 198: Senators Bleakly, Saunders, Crossley and Wade.

THIRD READING OF BILLS.

Senate File No. 349, a bill for an act to repeal Section One Thousand Three Hundred and Forty-six-d (1346-d) of the Supplement to the Code, relating to the assessment of express companies for taxation, and to enact a substitute therefor, was taken up and considered.

Senator Smith of Mitchell moved that the Senate concur in the following House amendments:

Strike out of line twenty-two, beginning with the word "the," down to and including the word "value" in the twenty-fourth line, and insert the following: 'and which is used exclusively outside the general business of the company, and also the actual value of that part of its property, if any, without the State which cannot lawfully be considered in determining the mileage value of its routes; and the aggregate of such values.'

Strike out the comma after the word 'company' in the thirty-first line, and insert between said word "company" and the word "and" the following: "or may ascertain their value in any other practicable manner".

Senator Young was called to the chair at 3:30 o'clock.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Jones, McKlveen, Mattes, Maytag, Newberry, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stookey, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—36.

The nays were:

None.

Absent or not voting:

Senators Allen, Dowell, Dunham, Ericson, Kimmel, Kinne, Lambert, McManus, Moon, Nichols, Stirton, Stuckslager, Taylor, Warren—14.

So the amendments were concurred in.

Senate File No. 373, a bill for an act to define the duty of common carriers of freight respecting the speed of cars of live stock, conferring additional powers upon the Board of Railroad

Commissioners with relation thereto, and providing for the enforcement of the orders, rulings and regulations of the board, was taken up and considered.

The bill was read for information.

Senator Smith of Mitchell moved that the rules by which no bill shall be read a second and third time on the same day be suspended.

Carried.

Senator Smith of Mitchell moved the adoption of the following amendment:

Add to the end of Section One (1) the following: "and the reasonable movement of its general traffic."

Adopted.

Senator Smith of Mitchell moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, DeWolf, Dowell, Eckles, Elerick, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jones, Lambert, McKlveen, Mattes, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—42.

The nays were:

None.

Absent or not voting:

Senators Dunham, Ericson, Jamison of Clarke, Kimmel, Kinne, McManus, Taylor, Warren—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

By consent, the motion filed by Senator Mattes on March 30, 1907, to reconsider the vote by which House File No. 408 passed the Senate, was withdrawn.

Senator Jamison of Clarke moved that the Senate do now adjourn.

Carried.

Senate adjourned until 9 o'clock A.M. tomorrow.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, APRIL 9, 1907.

Senate met in regular session at 9 o'clock a. m., President Garst presiding.

Prayer was offered by the Rev. M. B. Murray of Clarion.

On request of Senator Maytag, leave of absence was granted Senator Mattes.

On request of Senator Peterson, leave of absence was granted Senator Kimmel.

THIRD READING OF BILLS.

House File No. 489, a bill for an act making provision to pay a deficit in the fund of the State Board of Health Bacteriological Laboratory at Iowa City, was taken up and considered.

The bill was read for information.

Senator Maytag moved that the rule be suspended and the reading just had be considered its third reading.

Carried.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Lambert, McKlveen, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Young—33.

The nays were:

None.

Absent or not voting :

Senators DeWolf, Dowell, Gale, Jackson, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McManus, Mattes, Stirton, Stookey, Stuckslager, Taylor, Warren, Wilson of Clinton—17.

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 :

WHEREAS, We believe the remaining business of this General Assembly can be successfully accomplished in a brief season of time, therefore be it

Resolved by the House, the Senate concurring, That this General Assembly do adjourn sine die at noon, 12:00 o'clock, m., on Tuesday, April 9, 1907.

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. 372, a bill for an act legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa, in purchasing grounds for park and appropriating money from the park fund in partial payment of the same, and any and all acts of the City Treasurer of said city in the payment of warrants drawn on the park fund by the City Clerk of 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 House was asked :

Senate File No. 301, a bill for an act to indemnify C. T. Jones for money paid out by him in contesting a civil action instituted against him by 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. 61, a bill for an act additional to Title Seven (7), Chapter Two (2) of the Code, authorizing County Treasurers to commence and prosecute ordinary actions at law for the enforcement of tax liens and the collection of taxes, in addition to all other remedies now provided by law for the collection of taxes and for the issuance of a writ of attachment in certain cases without bond for the purpose of enforcing the payment of taxes, whether due or not due, and collecting the same.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted conference committee report and recedes from its amendment as recommended by conference committee to Senate File No. 162, a bill for an act to amend Section Three Thousand Nine Hundred and Fifty-five (3955) of the Code, and to provide for the issuance of an execution when an outstanding execution is lost or destroyed.

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. 47, a bill for an act to amend the law as it appears in Chapter Eighty-eight (88), laws of the Thirtieth General Assembly, relating to compensation of Deputy and Assistant Dairy 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 House was asked:

Senate File No. 350, a bill for an act to amend the law as it appears in Section One (1), Chapter Eighty-five (85), acts of the Thirtieth General Assembly, relating to salary of Commissioner of Bureau of Labor Statistics and his deputy.

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. 360, 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.

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. 358, a bill for an act making appropriations 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 House was asked:

Senate File No. 26, a bill for an act to amend Chapter One Hundred and Forty-two (142), laws of the Thirty-first General Assembly, and increasing the appropriation for carrying its purposes into effect.

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. 357, a bill for an act making appropriations to 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 passed the following bill, in which the concurrence of the House was asked:

Senate File No. 367, a bill for an act authorizing the Executive Council to install an additional boiler and additional equipment in the power and storage house, and to erect an additional storage house, and to make appropriation therefor.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

Senate File No. 372, a bill for an act legalizing the acts and proceedings of the City Council of the city of Oelwein, Iowa, in purchasing grounds for park and appropriating money from the park fund in partial payment of the same, and any and all acts of the City Treasurer of said city in the payment of warrants drawn on the park fund by the City Clerk of said city.

Passed on file.

Senate File No. 301, a bill for an act to indemnify C. T. Jones for money paid out by him in contesting a civil action instituted against him by the State of Iowa.

Passed on file.

Senate File No. 61, a bill for an act additional to Title Seven (7), Chapter Two (2) of the Code, authorizing County Treasurers to commence and prosecute ordinary actions at law for the enforcement of tax liens and the collection of taxes, in addition to all other remedies now provided by law for the collection of taxes and for the issuance of a writ of attachment in certain cases without bond for the purpose of enforcing the payment of taxes, whether due or not due, and collecting the same.

Passed on file.

House has adopted Conference Committee report and recedes from its amendment as recommended by Conference Committee to Senate File No. 162, a bill for an act to amend Section Three Thousand Nine Hundred and Fifty-five (3955) of the Code, and to provide for the issuance of an execution when an outstanding execution is lost or destroyed.

Passed on file.

House has amended and passed Senate File No. 47, a bill for an act to amend the law as it appears in Chapter Eighty-eight (88), laws of the Thirtieth General Assembly, relating to compensation of deputy and assistant dairy commissioners.

Senator Newberry moved that the Senate concur in the following House amendments:

Amend by striking out all after the enacting clause and substituting the following in lieu thereof:

SECTION 1. That the law as it appears in Chapter Eighty-eight (88), laws of the Thirtieth General Assembly, be and the same is hereby amended by striking out the word "twelve" in the fifth line thereof, and by inserting the word "fourteen" in lieu thereof, and by striking out the word "twelve" in the eighth line thereof, and inserting the word "fourteen" in lieu thereof.

SEC. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Capital, newspapers published in the city of Des Moines.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frud-den, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Lambert, McKlveen, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stuckslager, Wade, Whipple, Whiting, Wilson of Fayette, Young—38.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Jones, Kimmel, Kinne, McManus, Mattes, Stirton, Stookey, Taylor, Warren, Turner, Wilson of Clinton—12.

So the amendments were concurred in.

Senator Saunders, from the Conference Committee on Senate File No. 162, submitted the following report:

MR. PRESIDENT—Your conference committee appointed upon Senate File No. 162, entitled a bill for an act to amend Section Three Thousand Nine Hundred and Fifty-five (3955) of the Code, and to provide for the issuance of an execution when an outstanding execution is lost or destroyed, beg leave to report that we have had the same under consideration, and submit the following recommendations:

We recommend that the House recede from its amendment, which reads as follows: "Strike out all after the word 'original' in the eleventh (11th) line of Section One (1) of the original bill."

Respectfully submitted,

W. L. HARDING,
C. E. SAUNDERS,
C. C. DOWELL,
J. H. JAMISON,
GEO. W. DUNHAM,
C. W. HACKLER,
W. H. ARNEY,

Conference Committee.

Senator Saunders moved to adopt the report of the Conference Committee on Senate File No. 162.

On the question, "Shall the report of the Conference Committee be adopted?"

The yeas were :

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Lambert, McKlveen, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stuckslager, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Young—36.

The nays were :

None.

Absent or not voting :

Senators Bruce, DeWolf, Dowell, Gale, Jones, Kimmel, Kinne, McManus, Mattes, Stirton, Stookey, Taylor, Turner, Wilson of Clinton—14.

So the conference committee report was adopted.

HOUSE MESSAGES CONSIDERED.

Senate File No. 350, a bill for an act to amend the law as it appears in Section One (1), Chapter Eighty-five (85), acts of the Thirtieth General Assembly, relating to salary of Commissioner of Bureau of Labor Statistics and his deputy.

Passed on file.

House has amended and passed Senate File No. 360, 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.

Senator Maytag moved that the Senate concur in the following House amendment:

Amend by striking from Section Seven (7), all after the words "Missouri river" in the seventeenth line thereof and inserting in lieu of the part so stricken out the following:

Provided, however, that before any portion of this sum of Thirty-two Thousand (\$32,000) Dollars shall be drawn from the State treasury, the Board of Control of State Institutions shall file with the Auditor of State its certificate stating in substance and effect that a sufficient supply of

potable water can not be obtained from the well now being drilled at said institution, and provided further that said well shall not be drilled to a greater depth than twelve hundred feet.

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Lambert, McKlveen, Maytag, Moon, Newberry, Nichols, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Turner, Wade, Whipple, Whiting, Wilson of Fayette—34.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Gale, Jamieson of Clarke, Jones, Kimmel, Kinne, McManus, Mattes, Peterson Stirton, Stookey, Stuckslager, Taylor, Warren, Wilson of Clinton, Young—16.

So the House amendment was concurred in.

Senator Gilliland called up the motion filed by Senator Gale on April 8th to reconsider the vote by which Senate File No. 338 passed the Senate.

Senator Saunders moved that the motion to reconsider be laid on the table.

By consent the motion was withdrawn.

The bill was read for information.

On the motion to reconsider a roll call was demanded.

On the question, "Shall the motion to reconsider prevail?"

The yeas were:

Senator Gale—1.

The nays were:

Senators Bleakly, Clark, Crossley, Dowell, Dunham, Eckles, Ericson, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Lambert, McKlveen, Maytag, Moon, Newberry, Nichols,

Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Young—34.

Absent or not voting:

Senators Allen, Bruce, Burgess, DeArmand, DeWolf, Elerick, Foley, Jamison of Clarke, Jones, Kimmel, Kinne, McManus, Mattes, Taylor, Wilson of Clinton—15.

So the motion to reconsider was lost.

HOUSE MESSAGES CONSIDERED.

House has amended and passed Senate File No. 358, a bill for an act making appropriations for the State University of Iowa.

Senator Maytag moved that the Senate concur in the following House amendments:

Amend by striking out the words and figures "Ninety-four Thousand (\$94,000.00)" in Section Two (2), and inserting in lieu thereof the words and figures "One Hundred Four Thousand Dollars (\$104,000.00)."

Also: That the figures "25,000.00" after the words "wing of hospital," etc., be stricken out and the following inserted in lieu thereof: "35,000.00."

Also: That the figures "1907" in the last line of Section Two (2) be stricken out and the figures "1908" be inserted in lieu thereof.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Lambert, McKlveen, Maytag, Moon, Nichols, Peterson, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Young—37.

The nays were:

None.

Absent or not voting:

Senators Burgess, DeWolf, Jones, Kimmel, Kinne, McManus, Mattes, Newberry, Saunders, Taylor, Smith of Mitchell, Warren, Wilson of Clinton—13.

So the amendments were concurred in.

Senate File No. 26, a bill for an act to amend Chapter One Hundred Forty-two (142), laws of the Thirty-first General Assembly, and increasing the appropriation for carrying its purposes into effect.

Passed on file.

House has amended and passed Senate File No. 357, a bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts.

Senator Maytag moved that the Senate concur in the following House amendments.

SECTION 1. There is hereby appropriated to the Iowa State College of Agriculture and Mechanic Arts out of any money in the State treasury, not otherwise appropriated, the sum of Twenty Thousand (\$20,000.00) Dollars annually hereafter for additional support fund, and the sum of Six Hundred (\$600.00) Dollars annually for four years for catalogue; said sum to be paid in quarterly installments on order of the board of trustees, the first installment to be paid July 1, 1908.

SEC. 2. There is further appropriated out of any money in the State treasury, not otherwise appropriated, the sum of One Hundred Twenty-three Thousand (\$123,000.00) Dollars for the following purposes:

For equipment of college departments.....	\$10,000
For constructing heating tunnel system, new boilers, etc.	60,000
For improvement of water system.....	10,000
For purchase of pure-bred stock.....	5,000
For walks and grading.....	5,000
For furniture and fixtures for new Hall of Agriculture	10,000
For remodeling old Engineering Hall, for structural and hydraulic laboratory	7,000
For machine shop.....	16,000

The sums mentioned in this section shall be paid upon the order of the board of trustees of the State College, but not more than Seventy-five Thousand (\$75,000.00) Dollars of the entire amount shall be paid before July 1, 1908.

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 Capital, newspapers published in Des Moines, Iowa.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bleakly, Bruce, Clark, Crossley, DeArmand, Dowell, Eckles, Foley, Frudden, Gilliland, Hopkins, Hughes,

Jackson, Jamieson of Page, Lambert, McKlveen, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Young—36.

The nays were:

None.

Absent or not voting:

Senators Burgess, DeWolf, Dunham, Elerick, Ericson, Gale, Jamison of Clarke, Jones, Kimmel, Kinne, McManus, Mattes, Taylor, Wilson of Clinton—14.

So the amendments were concurred in.

Senate File No. 367, a bill for an act authorizing the Executive Council to install an additional boiler and additional equipment in the power and storage house, and to erect an additional storage house, and to make appropriation therefor.

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 adopted the conference committee report on Senate File No. 198, a bill for an act to amend Section One (1), Chapter Twenty-one (21) of the acts of the Thirtieth General Assembly, relating to the compensation of County Recorders.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed Senate File No. 203, a bill for an act requiring all corporations doing business within the State to make an annual report and pay an annual license fee to the 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 indefinitely postponed Senate File No. 362, a bill for an act to amend Chapter Four (4), Title Seven (7) of the Code, relating to the collection of a tax upon inheritance.

C. R. BENEDICT,
Chief Clerk.

The President announced that he had signed, in the presence of the Senate, Senate Files No. 77, 226, 364, 315, 371, 302, 330, 334, 351, 242, 308, 322, 81, 348, 336 and House Files No. 484, 477, 470, 464, 463, 455, 407, and 231.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 348, a bill for an act to legalize the actions of certain homes for destitute or unfortunate women and orphaned or abandoned children in certain cases, and the amendment of articles of incorporation.

Also:

Senate File No. 81, a bill for an act prohibiting the storage and transportation of powder into a coal mine while miners or other employes are working therein.

Also:

Senate File No. 322, a bill for an act to amend Section Two Thousand Two Hundred and Seventy (2270) of the Code, relating to settlement of insane patients.

Also:

Senate File No. 336, a bill for an act amendatory to and additional to the law as it appears in Section Three (3), Chapter One Hundred and Sixteen (116) of the laws of the Thirty-first General Assembly, relative to the practice of dentistry, and extending the time within which to file licenses issued prior to January 1, 1907, under certain conditions.

W. B. SEELEY,
Chairman.

Ordered passed on file.

Senator Seeley, 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. 315, a bill for an act to repeal Section One Thousand Four Hundred and Fifty (1450) of the Code, relating to the statement by the Auditor of State of the County Treasurers' account with the Treasurer of State.

Also:

Senate File No. 364, a bill for an act to enable the State of Iowa to sell and dispose of certain unclaimed lands within the former channel of the Des Moines river and formed by the accretions in consequence of changes of the channel of such river.

Also:

Senate File No. 371, a bill for an act fixing the place of confinement of females who are convicted of felonies and sentenced to confinement in the penitentiary.

Also:

Senate File No. 302, a bill for an act to amend Section Two Thousand Eight Hundred and Twenty-three-f (2823-f) of the Supplement to the Code, relative to the enforcement of the law for compulsory education.

Also:

Senate File No. 330, a bill for an act relating to the sale of intoxicants in the vicinity of military reservations, and providing a penalty for the violation thereof.

Also:

Senate File No. 334, a bill for an act appropriating the sum of One Hundred and Fifty-one Dollars and Ninety Cents (\$151.90), to be paid to W. J. McAhren in settlement of a claim against the State of Iowa, arising by reason of the efforts of the said W. J. McAhren to extradite one H. S. Green.

Also:

Senate File No. 77, a bill for an act making appropriation for the State College of Agriculture and Mechanic Arts, the State University and State Normal School.

Also:

Senate File No. 226, a bill for an act to reimburse S. B. Humbert for services rendered as superintendent of construction of the monuments of Lookout Mountain and one at either end of Missionary Ridge and to make all appropriations therefor.

Also:

Senate File No. 351, a bill for an act to authorize the sale of the southwest quarter of section twenty-seven (27), township seventy-eight (78) north, range twenty-four (24), west of the fifth P. M., known as the campground of the Iowa National Guard, and to use the proceeds of the sale, or so much thereof as may be necessary, in the purchase and improvement of another campground for the said guard.

Also:

Senate File No. 242, a bill for an act to create a commission to examine, revise and codify the laws relating to the public schools, and such other purposes as may be incident thereto.

Also:

Senate File No. 308, a bill for an act authorizing the Board of Supervisors to grant municipalities the use of the public highway for the laying of water mains and pipes, and fixing the liability for damages arising from the construction thereof.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 315, a bill for an act to repeal Section One Thousand Four Hundred and

Fifty (1450) of the Code, relating to the statement by the Auditor of State of the County Treasurers' account with the Treasurer of State.

Also:

Senate File No. 364, a bill for an act to enable the State of Iowa to sell and dispose of certain unclaimed lands within the former channel of the Des Moines river and formed by accretion in consequence of the changes of the channel of such river.

Also:

Senate File No. 371, a bill for an act fixing the place of confinement of females who are convicted of felonies and sentenced to confinement in the penitentiary.

Also:

Senate File No. 302, a bill for an act to amend Section Two Thousand Eight Hundred and Twenty-three-f (2823-f) of the Supplement to the Code, relative to the enforcement of the law for compulsory education.

Also:

Senate File No. 330, a bill for an act relating to the sale of intoxicants in the vicinity of military reservations, and providing a penalty for the violation thereof.

Also:

Senate File No. 334, a bill for an act appropriating the sum of One Hundred and Fifty-one Dollars and Ninety Cents (\$151.90), to be paid to W. J. McAhren in settlement of a claim against the State of Iowa, arising by reason of the efforts of the said W. J. McAhren to extradite one H. S. Green.

Also:

Senate File No. 77, a bill for an act making appropriation for the State College of Agriculture and Mechanic Arts, the State University and State Normal School.

Also:

Senate File No. 226, a bill for an act to reimburse S. B. Humbert for services rendered as superintendent of construction of the monuments of Lookout Mountain and one at either end of Missionary Ridge and to make all appropriations therefor.

Also:

Senate File No. 351, a bill for an act to authorize the sale of the southwest quarter of section twenty-seven (27), township seventy-eight (78) north, range twenty-four (24), west of the fifth P. M., known as the campground of the Iowa National Guard, and to use the proceeds of the sale, or so much thereof as may be necessary, in the purchase and improvement of another campground for the said guard.

Also:

Senate File No. 242, a bill for an act to create a commission to examine, revise and codify the laws relating to the public schools, and other purposes as may be incident thereto.

Also:

Senate File No. 308, a bill for an act authorizing the Board of Supervisors to grant municipalities the use of the public highway for the lay-

ing of water mains and pipes, and fixing the liability for damages arising from the construction thereof.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 231, a bill for an act to repeal Section Forty-six Hundred (4600) of the Code, relative to the accounting for fees, and compensation of Justices of the peace, and Constables, and to enact in lieu thereof, the following:

Also:

House File No. 407, a bill for an act repealing Section Two Thousand Eight Hundred and Eighty-one (2881) of the Code, and Section Two Thousand Eight Hundred and Eighty-one-f (2881-f) of the Supplement to the Code, and Section Six (6) of Chapter One Hundred and Fourteen (114) of the acts of the Twenty-eighth General Assembly, relating to employes in the State Library, fixing their salaries and providing for their bonds, and enacting a substitute therefor.

Also:

House File No. 455, a bill for an act to amend Chapter Eighty (80) of the acts of the Thirtieth General Assembly, relating to State hospitals for inebriates and to furnish additional provision in regard to commitments to and release from such hospitals.

Also:

House File No. 463, a bill for an act to amend Section Three Thousand Five Hundred and Forty (3540) of the Code, relating to the publication of original notices in actions against unknown defendants.

Also:

House File No. 464, a bill for an act to legalize the plat and dedication of the College Addition (commonly known as First College Addition), the Second College Addition, Lathrop's Addition and Johnston's Addition to the incorporated town of Humboldt (formerly Springvale), Humboldt county, Iowa.

Also:

House File No. 470, a bill for an act to legalize the incorporation of the town of Prairieburg, Linn 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. 477, a bill for an act to amend Title Six (6), Chapter Three (3) of the Code, relating to elections.

Also:

House File No. 484, a bill for an act to reimburse George S. Mornin

and Guy A. Feely for expenses incurred in the election contest from the Sixty-sixth Representative District of Iowa, and to pay sundry persons for services, per diem, mileage, and expenses rendered and incurred in connection with said election contest.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 348, a bill for an act to legalize the actions of certain homes for destitute or unfortunate women and orphaned or abandoned children in certain cases, and the amendment of articles of incorporation thereof.

Also:

Senate File No. 81, a bill for an act prohibiting the storage of and transportation of powder into coal mines while miners or other employes are working therein.

Also:

Senate File No. 322, a bill for an act to amend Section Two Thousand Two Hundred and Seventy (2270) of the Code, relating to settlement of insane patients.

Also:

Senate File No. 336, a bill for an act amendatory to and additional to the law as it appears in Section Three (3), Chapter One Hundred and Sixteen (116) of the laws of the Thirty-first General Assembly of Iowa, relative to the practice of dentistry, and extending the time within which to file licenses issued prior to January 1, 1907, under certain conditions.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate File No. 348, a bill for an act to legalize the actions of certain homes for destitute or unfortunate women and orphaned or abandoned children in certain cases, and the amendment of articles of incorporation thereof.

Also:

Senate File No. 81, a bill for an act prohibiting the storage and transportation of powder into coal mines while miners or other employes are working therein.

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W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate File No. 315, a bill for an act to repeal Section One Thousand Four Hundred and Sixty of the Code, relating to the statement by the Auditor of State of the County Treasurers' account with the Treasurer of State.

Also:

Senate File No. 364, a bill for an act to enable the State of Iowa to sell and dispose of certain unclaimed lands within the former channel of the Des Moines river and former by accretion in consequence of the changes of the channel of such river.

Also:

Senate File No. 371, a bill for an act fixing the place of confinement of females who are convicted of felonies and sentenced to confinement in the penitentiary.

Also:

Senate File No. 302, a bill for an act to amend Section Two Thousand Eight Hundred and Twenty-three-f (2823-f) of the Supplement to the Code, relative to the enforcement of the law for compulsory education.

Also:

Senate File No. 330, a bill for an act relating to the sale of intoxicants in the vicinity of military reservations, and providing a penalty for the violation thereof.

Also:

Senate File No. 334, a bill for an act appropriating the sum of One Hundred and Fifty-one Dollars and Ninety Cents (\$151.90), to be paid to W. J. McAhren in settlement of a claim against the State of Iowa, arising

by reason of the efforts of the said W. J. McAhren to extradite one H. S. Green.

Also:

Senate File No. 77, a bill for an act making appropriation for the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal School.

Also:

Senate File No. 226, a bill for an act to reimburse S. B. Humbert for services rendered as superintendent of construction of the monuments at Lookout Mountain and one at either end of Missionary Ridge and to make all appropriations therefor.

Also:

Senate File No. 351, a bill for an act to authorize the sale of the southwest quarter of section twenty-seven (27), township seventy-eight (78) north, range twenty-four (24), west of the fifth P. M., known as the campground of the Iowa National Guard, and to use the proceeds of the sale, or so much thereof as may be necessary, in the purchase and improvement of another campground for the said guard.

Also:

Senate File No. 242, a bill for an act to create a commission to examine, revise and codify the laws relating to the public schools, and such other purposes as may be incident thereto.

Also:

Senate File No. 308, a bill for an act authorizing the Board of Supervisors to grant municipalities the use of the public highway for the laying of water mains and pipes, and fixing the liability for damages arising from the construction thereof.

W. B. SEELEY,

Chairman.

Ordered passed on file.

The President announced that he had signed in the presence of the Senate, Senate Files Nos. 205, 289 and 314.

HOUSE MESSAGE CONSIDERED.

House adopted Conference Committee report on Senate File No. 198, a bill for an act to amend Section One (1), Chapter Twenty-one (21), of the acts of the Thirtieth General Assembly, relating to the compensation of County Recorders.

Passed on file.

Senator Saunders, from the Conference Committee on Senate File No. 198, submitted the following report:

MR. PRESIDENT—Your conference committee on Senate File No. 198 entitled, a bill for an act to amend Section One (1), Chapter Twenty-one (21) of the acts of the Thirtieth General Assembly, relating to the compensation of County Recorder, report that they have had the same under consideration and beg leave to submit the following report:

We recommend that the Senate recede from its position and that it concur in the amendment of the House, which amendment reads as follows: Amend by striking out the following words in line four (4) of Section One (1): "Fourteen Hundred (\$1,400) Dollars" and insert in lieu thereof the following: "Twelve Hundred Dollars (\$1,200)."

Respectfully submitted,

JOHN L. BLEAKLY,
 JAMES J. CROSSLEY,
 JOHN F. WADE,
 C. E. SAUNDERS,
 G. H. VANHOUTEN,
 CURRAN F. SWIFT,
 S. M. CORRIE,
 J. H. KELLEY,

Joint Committee.

Senator Saunders moved to adopt the report of the Conference Committee on Senate File No. 198, and also to adopt and include in the bill the amendments recommended by said conference.

On the question, "Shall the report and the amendments be adopted?"

The yeas were:

Senators Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Frudden, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Maytag, Moon, Newberry, Nichols, Saunders, Smith of Des Moines, Stirton, Stuckslager, Turner, Warren—27.

The nays were:

Senators Bruce, Elerick, Ericson, Foley, Lambert, McKlveen, Peterson, Seeley, Smith of Mitchell, Stookey, Whipple, Whiting, Wilson of Fayette—13.

Absent or not voting:

Senators DeWolf, Jones, Kimmel, Kinne, McManus, Mattes, Taylor, Wade, Wilson of Clinton, Young—10.

So the report of the Conference Committee was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 373, a bill for an act to define the duty of common carriers of freight respecting the speed of cars of live stock, conferring additional powers upon the Board of Railroad Commissioners with relation thereto, and providing for the enforcement of the orders, rulings and regulations of the Board.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Maytag, Senate Joint Resolution No. 7.

JOINT RESOLUTION approving estimates of costs, plans and specifications of an annex to the Hall of Agriculture, an addition to Margaret Hall, a General Engineering Laboratory, and Dairy and Poultry Farm Buildings, and authorizing the erection of said buildings.

WHEREAS, The board of trustees of the Iowa State College of Agriculture and Mechanic Arts has submitted to the Thirty-second General Assembly of the State of Iowa, estimates of cost, plans and specifications of buildings, to-wit: An annex to the Hall of Agriculture, an addition to Margaret Hall, a General Engineering Laboratory, and Dairy and Poultry Farm buildings, to be erected under the provision of Chapter One Hundred and Eighty-four (184) of the acts of the Thirty-first General Assembly, and

WHEREAS, Said estimate of cost, plans and specifications are in every way proper and suitable, therefore

Be It Resolved by the General Assembly of the State of Iowa:

SECTION 1. That the plans and specifications for the erection of an annex to the Hall of Agriculture at a cost not to exceed Sixty Thousand (\$60,000) Dollars, an addition to Margaret Hall at a cost not to exceed Forty-five Thousand (\$45,000) Dollars, a general engineering laboratory at a cost not to exceed Thirty Thousand (\$30,000) Dollars, and a Dairy and poultry farm building at a cost not to exceed Eight Thousand (\$8,000) Dollars, submitted to the General Assembly of Iowa for approval, are hereby approved and the board of trustees of the Iowa State College of Agriculture and Mechanic Arts are hereby authorized to erect said buildings thereunder at Ames, Iowa, as provided in this resolution.

Read first and second time and taken up for consideration.

THIRD READING OF BILLS.

Senate Joint Resolution No. 7, approving estimates of costs, plans and specifications of an annex to the Hall of Agriculture, an addition to Margaret Hall, a general engineering laboratory, and dairy and poultry farm buildings, and authorizing the erection of said buildings.

Senator Maytag moved that the rules by which no bill shall be read a second and third time on the same day be suspended.

Carried.

Senator Maytag moved that the rule be suspended, the joint resolution be considered engrossed, and read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, De-Armand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frud-den, Gale, Gilliland, Hughes, Jackson, Jamieson of Page, Jami-son of Clarke, McKlveen, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Young—39.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Hopkins, Jones, Kimmel, Kinne, Lambert, McManus, Mattes, Smith of Mitchell, Taylor, Wilson of Clin-
ton—11.

So the joint resolution having received a constitutional ma-
jority was declared to have passed the Senate and its title
agreed to.

INTRODUCTION OF BILLS.

By Senator Maytag, Senate Joint Resolution No. 8.

JOINT RESOLUTION approving estimates of cost, plans and specifications of
Law building, Physics building, and addition to Engineering building
at the State University at Iowa City, Iowa, and authorizing the erec-
tion thereof.

WHEREAS, The Board of Regents of the State University at Iowa City,
Iowa, has submitted to the Thirty-second General Assembly of Iowa, esti-
mates of cost, plans and specifications of buildings, to-wit: Law building,
Physics building, and addition to Engineering building, to be erected
under the provisions of Chapter One Hundred and Eighty-three (183) of
the acts of the Thirty-first General Assembly, and

WHEREAS, Said estimates of cost, plans and specifications are in every way proper and suitable, therefore

Be It Resolved by the General Assembly of the State of Iowa:

SECTION 1. That the plans and specifications for the erection of a law building at a cost not to exceed One Hundred and Twenty-five Thousand (\$125,000) Dollars, a physics building at a cost not to exceed One Hundred and Fifty Thousand (\$150,000) Dollars, and an addition to the engineering building at a cost not to exceed Sixty Thousand (\$60,000) Dollars, submitted to the General Assembly of Iowa for approval, are hereby approved and the Board of Regents of the Iowa State University are hereby authorized to erect said buildings thereunder at Iowa City, Iowa, as provided in this resolution.

Read first and second time and taken up for consideration.

THIRD READING OF BILLS.

Joint Resolution No. 8, approving estimates of costs, plans, and specifications of Law Building, Physics Building, and addition to Engineering Building at the State University at Iowa City, Iowa, and authorizing the erection thereof.

Senator Maytag moved that the rules by which no bills shall be read a second and third time on the same day be suspended.

Carried.

Senator Maytag moved that the rule be suspended, the joint resolution be considered engrossed and read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, "Shall the joint resolution pass?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, McKlveen, Maytag, Moon, Newberry, Nichols, Peterson, Seeley, Smith of Des Moines, Stirton, Stookey, Turner, Wade, Whipple, Whiting, Wilson of Fayette, Young—32.

The nays were:

None.

Absent or not voting.

Senators DeWolf, Gale, Hopkins, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, Lambert, McManus, Mattes,

Saunders, Smith of Mitchell, Stuckslager, Taylor, Warren, Wilson of Clinton—18.

So the joint resolution having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senate File No. 366, a bill for an act to authorize and empower the Executive Council to redecorate and refinish the Senate Chamber at the Capitol Building, together with the Lieutenant-Governor's rooms and committee and cloak rooms connected therewith, and to make an appropriation therefor, was taken up and considered.

The bill was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gilliland, Hughes, Jamieson of Page, Jamison of Clarke, Lambert, McKlveen, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirtion, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Young—37.

The nays were:

None.

Absent or not voting.

Senators DeWolf, Gale, Hopkins, Jackson, Jones, Kimmel, Kinne, McManus, Mattes, Moon, Taylor, Wilson of Fayette, 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 committee to prepare and submit suitable resolutions on the death of Hon. Geo. F. Wright, Senators Saunders, Whiting and Crossley.

Senator Saunders, from the committee appointed to draft suitable resolutions on the death of Hon. Geo. F. Wright, submitted the following report:

Your committee appointed to draft suitable resolutions upon the death of the Hon. George F. Wright, late of Council Bluffs, Iowa, beg leave to submit herewith the following report:

George F. Wright was born in Warren, Washington county, Vt., December 5, 1833, and was the eldest of a family of four children of the late Franklin Asher Wright, born in Hanover, N. H., September 17, 1801, and of Caroline Susanah Wright, nee Tillottson, born in Berlin, Vt., November 3, 1807.

George F. Wright was reared and spent his boyhood on a farm in his native State and at the age of seventeen he commenced his academic education at West Randolph, Vt., under the tutorage of the late Hon. Austin Adams of Dubuque, Iowa. During his academic training he taught in the district school during the winter, as was the custom of many New England boys. He completed a preparatory course but did not enter college. In the spring of 1855, when he attained his majority, he came to Iowa and settled in Keosauqua, where he commenced the study of law in the firm of Wright, Knapp & Caldwell, a law firm composed of the late ex-Senator George G. Wright, the late Hon. Jos. C. Knapp of Keosauqua and Judge Henry C. Caldwell, now of Little Rock, Ark. In 1857 George F. Wright was admitted to the practice of law by Judge H. H. Hendershot. Immediately after his admission to the practice of law George G. Wright retired from the law firm because of his election to the Supreme Bench of Iowa, and George F. Wright became junior partner. His education, founded in the old-fashioned New England schools was rounded under the training received from his association with these eminent lawyers and jurists. Aided by their ripe business experience and by his extensive acquaintance with business affairs he became an active, persevering and successful lawyer.

In 1861 he enlisted in response to President Lincoln's call for 75,000 volunteers and in connection with Captain (afterwards General) James H. Tuttle, raised a company of volunteers in Van Buren county, of which he was elected the first lieutenant, receiving his commission from the hands of Governor Kirkwood, at Davenport, Iowa. His company rendezvoused at Keokuk and after being some time in camp it was accepted in the second call for volunteers and became a part of the Second Regiment of Iowa Volunteers. Just before this regiment was mustered Judge Caldwell was elected major of the Third Iowa Cavalry and the business of the law firm required Mr. Wright's return to Keosauqua. On his return, at the request of Governor Kirkwood, he raised a company of State militia, was elected captain thereof and his company was accepted by the Governor for the protection of the Iowa border in Van Buren county. This organization was frequently called to the border and into the State of Missouri until the rebels and guerrillas were driven out of the northern

part of the State, when most of the company enlisted in and became a part of the Fifteenth Regiment of Iowa Volunteers.

On October 26, 1863, he was married in the city of Chicago to Ellen E. Wright, nee Brooks, of Northfield, Vt. Six children were born of this marriage and five survived after his death. In the spring of 1868 he moved to Council Bluffs and formed a law co-partnership with Judge Caleb Baldwin. After the retirement of Judge Baldwin from the firm Mr. Wright became the senior member of the firm that was then organized and remained such to the time of his death. In the practice of the law he was subsequently associated with the Hon. John F. Baldwin, now general counsel for the Union Pacific Railroad and Amos J. Rising.

Mr. Wright identified himself from the time of his advent into the State of Iowa with the politics of the State and Nation. He was always a staunch Republican and for many years a leading worker in his party, being frequently tendered a nomination as a member of the Legislature from his county and he invariably declined the honor. In 1875 he was elected as a member of this body from the Ninth Senatorial district of the State, the same being composed of the counties of Pottawattamie and Mills. After serving as a Senator in the Sixteenth and Seventeenth General Assemblies, he was again elected Senator in 1879, in the Nineteenth Senatorial district, composed of the county of Pottawattamie. He served from this district in the Eighteenth and Nineteenth General Assemblies. During his senatorial career his reputation as a lawyer and his energy and ability won for him substantial influence in this body. He was from the first a member of the Judiciary Committee and an active and industrious worker. He was ever vigilant and faithful in the trust imposed upon him, never allowing his personal feelings to swerve him from the path of duty and justice. He rendered the State faithful and competent service and his career reflected credit upon himself and honor upon his State. For many years he was Commissioner of the United States Circuit Court for the State of Iowa.

In 1870 he became actively engaged in business and from that date on he was prominently connected with large business enterprises. In 1886 he was prominently connected with the organization of the Omana & Council Bluffs Railway and Bridge Company, the first electric railway line in the State of Iowa and the second constructed in the United States.

As a lawyer Mr. Wright was prominent, leading and able and ever loyal to the rights of his client. Gifted with sound judgment, endowed with great common-sense, possessed of a large knowledge of men and affairs, he was ever ready to meet his adversary in court or in the field of compromise, confident in his resources and ability to secure better results for his client by negotiation rather than by prolonged and expensive litigation.

He died at Council Bluffs, Iowa, on the 13th day of December, 1906, surrounded by his wife and children.

WHEREAS, George F. Wright, a member of this body in the regular sessions of the Sixteenth, Seventeenth, Eighteenth and Nineteenth Gen-

eral Assemblies, departed this life in his home in Council Bluffs, Iowa, on the 12th day of December, 1906; therefore, be it

Resolved, That the Senate has learned with great sorrow and regret of the death of the Hon. Geo. F. Wright, and it recognizes that in his departure the State has lost an honored and distinguished citizen, who served his State and generation with honor and credit. In his career as a member of this body he was a valuable public servant and distinguished by his ability and devotion to public duty;

Resolved, That the Senate joins with his neighbors and friends in sorrow at his loss, and it hereby tenders to his family its sincere sympathy in this hour of their bereavement; be it further

Resolved, That a copy of these resolutions be spread upon the records of the Senate and that an engrossed copy, authenticated by the President and Secretary, be sent to the widow and family of the deceased.

C. G. SAUNDERS,
JAMES J. CROSSLEY,
WILL C. WHITING,

Committee.

President Pro Tem. Smith was called to the chair at 10:30 o'clock.

Senator Turner, from the joint committee appointed to secure chair and gavels for the President of the Senate and Speaker of the House, submitted the following report:

To the Honorable Senate and House of Representatives, Thirty-second General Assembly:

Your committee appointed for the purpose of securing chairs and gavels for the President of the Senate and the Speaker of the House, beg leave to report:

That the chair occupied by the President of the Senate and the gavel used by him in presiding over the deliberations of the Senate be presented to him, and that

The chair occupied by the Speaker of the House and the gavel used by him in presiding over the deliberations of the House be presented to him.

Very respectfully submitted,

F. F. JONES,
G. H. VANHOUTEN,
JOHN C. DEMAR,
D. W. TURNER,
J. A. DEARMAND,
F. M. HOPKINS,

Adopted.

Senator Crossley moved that a committee of three be appointed to escort the President of the Senate to his desk.

Carried.

The chair announced as such committee Senators Crossley, Peterson, and Frudden, who performed that duty.

Senator Turner announced that the committee had requested Senator DeArmand to make the presentation. Senator DeArmand spoke as follows:

MR. PRESIDENT—The very pleasing duty devolves upon me of representing the minority party on the committee that was honored by this body in the commission to procure a chair and gavel, to be presented to you, I am more than proud of the opportunity to have this opportunity of thanking you, Mr. President, for the very fair and impartial manner in which you have presided during the session now rapidly drawing to a close. In a few hours we will be on the way to our homes, not altogether certain, may be, whether we will be met by a brass band or a section of artillery. With our munificent salaries in our grips, we will seek to re-establish ourselves in the good graces of our constituents, more by a show of gain than by a defense of our course that we hope will stand the scrutiny of deliberate thought. Whatever may be our success in justifying our votes there never can or will be any diversity in our judgment as to the brand of considerate treatment passed out by our presiding officer. At all times courteous, blind to our embarrassment over new environments, every man in this Senate has been made to feel that he was at home and among friends. The vicissitudes of life may make our meeting again a matter of uncertainty, but we leave this assembly with the warmest feelings for you, hoping that life and plenty may be yours and that you may ever have the warm love of your co-laborers as you have earned and received here by your royal treatment of this Senate.

On behalf of the Senate of the Thirty-second General Assembly, I beg of you to accept the chair and gavel. With them go the best wishes of every Senator.

President Garst responded, saying that he had been deeply touched by the gift and kind words spoken. He thanked the Senators for having overlooked his short-comings, and the officers and employes for their assistance. He said he felt that he had not a personal enemy in the Senate. He first alluded to the efficiency of the pages and his remarks were greeted with applause. He then paid tribute to the committee clerks, the sergeant-at-arms, the veteran doorkeepers and spoke particularly of what he denominated his official family, the force at the desk, no unpleasantness of any character and not an unkind word having been spoken during the entire session. He felt himself under a special obligation to each and every one for their assistance and cordial support. And finally he addressed himself to the Senators themselves. "I thank you," he concluded, "from the bottom of my heart for your consideration and attention during the session."

A gavel was also presented President Garst by Senator Turner, from Capt. Amos Brandt. The handle of the gavel was made from a piece of wood taken from a tree at Washington's tomb, and the mallet from Philippine wood. Lieutenant Governor Garst responded by appropriate reference to the historical significance of the relic.

Senator Stirton spoke in behalf of the Senators and the employes. Speaking of Governor Garst he said: "Few men within the borders of the State are more greatly beloved than he." Of the character of the session's legislation he said: "We have not gone far enough rather than gone too far." He closed by remarking to the Senators that he trusted their constituencies would say upon their return: "Well done, thou good and faithful Senators; enter thou into another term."

Senator Gilliland took the floor to praise the character of the Senate during the present session, and Senator Smith arose to laud the seven legislative assemblies of which he has been a member. "There is no foundation," said he, "for the funny newspaper man's joke about the legislator. I have known their aims and intentions in seven sessions and they are as high as any body of men could hope to reach."

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 House was asked:

Concurrent resolution recommending parole of Jasper Mason.

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. 159, a bill for an act to amend Chapter Six (6) of Title Nine (9) of the Code, relating to the distribution of dividends on stock in stock companies writing participating life insurance policies.

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 joint resolution, in which the concurrence of the House was asked:

Joint resolution fixing the number and compensation of employes in the 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 adopted the report of the joint committee, relative to presenting the Speaker of the House and President of the Senate with chairs occupied and gavels used by them, during the Thirty-second General Assembly.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

House concurrent resolution relative to final adjournment of the Thirty-second General Assembly.

Senator Turner moved that the Senate concur in the concurrent resolution.

Carried.

Senator Jamison of Clarke offered the following resolution and moved its adoption:

Be It Resolved, That the thanks of the Senate be and are hereby most cordially extended to the President of the Senate, to the President pro tem., the Secretary, the assistant secretaries, the clerks, the sergeant-at-arms, the doorkeepers, the committee clerks, the cloak and toilet room employes and the messengers, for the faithful and efficient manner in which they have performed their various duties.

Resolved, That the Sergeant-at-Arms, doorkeepers and messengers, be permitted to retain their respective badges as souvenirs of their winter's service at the Capitol.

Adopted.

HOUSE MESSAGES CONSIDERED.

House amended and indefinitely postponed Senate File No. 362, a bill for an act to amend Chapter Four (4), Title Seven (7) of the Code, relating to the collection of a tax upon inheritance.

Passed on file.

House indefinitely postponed Senate File No. 203, a bill for an act requiring all corporations doing business within the State to make an annual report and pay an annual license fee to the Secretary of State.

Passed on file.

House File No. 373, a bill for an act to define the duty of common carriers of freight respecting the speed of cars of livestock, conferring additional powers upon the Board of Railroad Commissioners with relation thereto, and providing for the enforcement of the orders, rulings, and regulations of the Board.

Passed on file.

INTRODUCTION OF BILLS.

By Sentaor Maytag, Senate File No. 374.

A BILL for an act to amend an act passed by the Thirty-second General Assembly, entitled "An act making appropriations for the Iowa State College of Agriculture and Mechanic Arts, the State University, and the State Normal School, and known as Senate File No. 77."

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That Section Four (4) of an act of the Thirty-second General Assembly, entitled "An act making appropriations for the Iowa State College of Agriculture and Mechanic Arts, the State University, and the State Normal School, and known as Senate File No. 77," be amended by adding thereto the following: "Provided, this act shall not repeal or in anywise affect any other act of the Thirty-second General Assembly making an appropriation or appropriations for said institutions or either of them."

SEC. 2. This act, being deemed of immediate importance, shall take effect from and after its publication in the Register and Leader and Des Moines Capital, newspapers published at Des Moines, Iowa.

Read first and second time.

THIRD READING OF BILLS.

Senate File No. 374, a bill for an act to amend an act passed by the Thirty-second General Assembly entitled, "An act making appropriations for the Iowa State College of Agriculture and Mechanic Arts, the State University, and the State Normal School, known as Senate File No. 77," was taken up and considered.

Senator Maytag moved that the rules by which no bill shall be read a second and third time on the same day be suspended.

Carried.

The bill was read for information.

Senator Maytag moved that the rule be suspended, 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 Allen, Bleakly, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale, Hughes, Jackson, Jamieson of Page, Jamison of Carke, Lambert, McKlveen, Maytag, Moon, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Whiting, Wilson of Fayette, Young—35.

The nays were :

None.

Absent or not voting :

Senators Bruce, DeWolf, Gilliland, Hopkins, Jones, Kimmel, Kinne, McManus, Mattes, Newberry, Nichols, Peterson, Smith of Mitchell, Wade, Wilson of Clinton—15.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

HOUSE MESSAGES CONSIDERED.

House has passed Senate concurrent resolution recommending parole of Jasper Mason.

Passed on file.

House has amended and passed joint resolution fixing the number and compensation of employes in the Department of State at the seat of government.

Referred to Committee on Retrenchment and Reform.

House has amended and passed Senate File No. 159, a bill for an act to amend Chapter Six (6) of Title Nine (9) of the Code, relating to the distribution of dividends on stock in stock companies writing participating life insurance policies.

Passed on file.

House has adopted the report of the joint committee relative to presenting the Speaker of the House and President of the Senate with chairs occupied and gavels used by them during the Thirty-second General Assembly.

Passed on file.

The Journal of yesterday was taken up, corrected and approved.

THIRD READING OF BILLS.

Senate File No. 159, a bill for an act to amend Chapter Six (6) of Title Nine (9) of the Code, relating to the distribution of dividends on stock in stock companies writing participating life insurance policies, was taken up and considered.

Senator Jamison of Clarke moved that the Senate concur in the following House amendment:

SEC. 3. No stock life insurance company organized under the laws of any State or country and authorized to transact business in this State and issuing participating policies to residents of this State, shall from the surplus or earnings of such companies retain for or pay as dividends to its stockholders any greater amount than their proportionate share of such dividends as are permitted under the provisions of Sections One (1), and Two (2), of this act.

On the question, "Shall the Senate concur in the House amendment?"

The yeas were:

None.

The nays were:

Senators Bleakly, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Lambert, McKlveen, Maytag, Moon, Newberry, Seeley, Smith of Des Moines, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette. Young—34.

Absent or not voting:

Senators Allen, Bruce, DeWolf, Foley, Frudden, Jones, Kimmel, Kinne, McManus, Mattes, Nichols, Peterson, Saunders, Smith of Mitchell, Taylor, Wilson of Clinton—16.

So the amendment was not concurred in.

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 conference committee report and amendments as recommended by conference committee on House File No. 379, a bill for an act to prohibit common carriers of passengers from issuing, furnishing or giving free tickets, free passes, free transportation or dis-

criminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act, also for annual reports and for the repeal of Chapter Ninety (90), laws of the Thirty-first General Assembly.

C. R. BENEDICT,
Chief Clerk.

Senate Joint Resolution No. 6, fixing the number and compensation of employes in the Department of State at the seat of government, was taken up and considered.

Senator Smith of Mitchell moved that the Senate concur in the following House amendments:

Amend by changing the figures "\$840.00" in line sixteen, as the salary of janitor, to "\$780.00," under office of Auditor of State.

Amend by striking out the words "and notarial" in the first line of the section pertaining to the office of Governor.

Also strike out the words "general clerk" in the fourth line of said section, and insert in lieu thereof the words "notarial clerk."

Amend by adding to the employes of the State Library office: "One legislative and general reference assistant at a salary of \$1,000.00 per annum."

Amend by changing the figures "\$840.00," in line three, as the salary of janitor, to "\$780.00," under State Librarian's office.

Amend by changing the figures "\$840.00," in line two, as the salary of janitor, to "\$780.00," under office of Superintendent of Public Instruction.

Amend by changing the figures "840," in line five, under heading Treasurer of State, relating to janitor, to "\$780."

Amend by inserting between the words "curator" and "at," in the first line under the section "For the Historical Department," the following: "who shall devote himself exclusively to the duties of his office."

Amend by changing the figures "\$840," in line six under heading Historical Department, relating to janitors, to "\$780."

Amend the last line of section providing for help for the Executive Council by striking out the figures "\$1800" and inserting in lieu thereof the figures "\$1200.00."

Amend the sum fixed as salary for one mail carrier with team and wagon, who shall also act as janitor for the Secretary of the Executive Council and supply room, by striking out the figures "\$1120" and inserting in lieu thereof the figures "\$1000."

Under heading "Board of Control," amend by changing the figures "\$840.00," in line five, as the salary of janitor, to "\$780.00."

Under the heading "Department of Agriculture and Board of Health," amend by changing the figures "\$840.00," in line five, as the salary of janitor, to "\$780.00."

Amend by changing the figures "\$840.00," in line eight, as the salary of janitor, to "\$780.00."

Amend by changing the figures "\$840.00," in line eleven, as the salary of janitor, to "\$780.00."

Amend by changing the figures "\$840.00," in line fourteen, as the salary of janitor, to "\$780.00."

Amend by changing the figures "\$840.00," in line seventeen, as the salary of janitor, to "\$780."

Under the heading "Custodian of Public Buildings and Property," amend by changing the figures "\$840," in line nine, relating to janitor, to "\$780."

Amend by changing the figures "\$840," in line ten, relating to janitor and janitress, to "\$780."

Amend by changing the figures "\$840," in line eleven, relating to janitor and janitress, to "\$780."

Amend by striking out the words "For Board of Parole—One Secretary at salary of \$1,600—One clerk and stenographer at a salary of \$900."

On the question, "Shall the Senate concur in the House amendments?"

The yeas were:

Senators Allen, Bruce, Burgess, Clark, DeArmand, Dunham, Ericson, Foley Gilliland, Hopkins, Jackson, Lambert, McKlveen, Maytag, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Turner, Whipple, Wilson of Fayette, Young—26.

The nays were:

Senators Bleakly, Crossley, Dowell, Eckles, Elerick, Gale, Hughes, Moon, Stookey, Wade, Warren, Whiting—12.

Absent or not voting:

Senators DeWolf, Frudden, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McManus, Mattes, Stuckslager, Taylor, Wilson of Clinton—12.

So the Senate concurred in the House amendments.

Senator Dowell was called to the chair at 11:10 o'clock.

HOUSE MESSAGE CONSIDERED.

House has adopted conference committee report and amendments as recommended by conference committee on House File No. 379, a bill for an act to prohibit common carriers of passengers from

issuing, furnishing, or giving free tickets, free passes, free transportation, or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation, or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act, also for annual reports and for the repeal of Chapter Ninety (90), laws of the Thirty-first General Assembly.

Passed on file.

Senator Hopkins, from the conference committee on House File No. 379, submitted the following report:

To the President of the Senate: The undersigned, a conference committee to whom was referred House File No. 379, a bill for an act to prohibit common carriers of passengers from issuing, furnishing or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation, or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act, also for annual reports and for the repeal of Chapter Ninety (90), laws of the Thirty-first General Assembly, beg leave to report that they have had the same, and all matters upon which no agreement was reached between the House and Senate, under consideration and have agreed that the amendments hereinafter set out be made to said House File No. 379 and said committee respectfully recommend that said amendments be adopted by both houses.

That the following be adopted as a substitute for the Senate amendments to Section Two (2) to wit: that Section Two (2) be stricken out and the following be substituted therefor: "The persons to whom free tickets, free passes, free transportation and discriminating reduced rates may be issued, furnished, or given are the following, to wit: (a) The officers, agents, employes, attorneys, physicians and surgeons, of such common carriers of passengers whose chief and principal occupation is to render service to common carriers of passengers; (b) to the families of the persons included in sub-division "a" hereof; (c) the general officers of any such common carrier; (d) employes on sleeping cars, express cars, and linemen of telegraph and telephone companies, railway mail service employes, postoffice inspectors, customs inspectors and immigration inspectors, newsboys on trains, baggage agents; (e) persons injured in wrecks and physicians and nurses attending such persons; (f) passengers traveling with the object of providing relief in cases of railroad accident, general epidemic, pestilence, or other calamitous visitation; (g) necessary care takers of live stock, vegetables and fruit, including return transportation to forwarding station; (h) the officers, agents or regularly accredited representatives of labor organizations, composed wholly of employes of railway companies; (i) inmates of homes for the reform or rescue

of the vicious or unfortunate, including those about to enter and those returning home after discharge, and boards of managers, including officers, and superintendents of such homes; (j) superannuated and pensioned employes and members of their families and widows of such members; (k) employes crippled and disabled in the service of a common carrier of passengers; (l) policemen and firemen of any city, wearing the insignia of their office within the limits of such city; (m) ministers of religion, traveling secretaries of Railroad Young Men's Christian Associations, inmates of hospitals and charitable and eleemosynary institutions, and persons exclusively engaged in charitable and eleemosynary work; (n) indigent, destitute and homeless persons, while being transported by charitable societies or hospitals, and necessary agents, employes in such transportation; (o) school children to and from public or parochial schools; (p) the State Fish and Game Warden, and his car and necessary assistants therewith, when engaged in the performance of official duties.

In any prosecution under this act, if it is claimed that a free ticket, free pass or other transportation was wrongfully issued or given to physicians or surgeons, attorneys, agents, employes, it shall be incumbent upon the defendant to prove the character of the service rendered, or to be rendered.

The provisions of this act shall not be construed to prohibit the interchange of passes for the persons to whom free tickets, free passes, or free transportation may be furnished or given under the provisions of this section.

Nothing in this act shall operate to repeal the provisions of Section Two Thousand One Hundred Fifty (2150) of the Code so far as said section refers to the members of the National Guard, nor shall it operate to repeal Section Two Thousand One Hundred Fifty-one (2151) of the Code.

Nothing in this act shall be construed to invalidate any existing contract between a street railway company and a city where a condition of a franchise grant requires the furnishing of transportation to policemen, firemen, and city officers, while in the performance of official duties.

That the Senate amendment to Section Four (4) be adopted, the same being as follows: "amend Section Four (4) by striking out the words 'and the officer, agent, employe or representative, guilty of such violation shall, in addition to the fine,' in lines three and four, and inserting in lieu thereof the words 'or in the discretion of the court shall.'"

That the following be adopted as a substitute for Senate amendment to Section Five (5): that Section Five (5) be stricken out and the following substituted therefor: "Every common carrier of passengers within the provisions of this act, shall, on or before the first day of February of each year, file with the Executive Council of the State of Iowa, a sworn statement showing the names of all persons within the State to whom, during the preceding calendar year, it issued, furnished or gave a free ticket, free pass, free transportation or a discriminating reduced rate, except wage earners of common car-

riers in their ordinary employment and families of such wage earners, and disclosing such further information as will enable the Council to determine whether the person to whom it was issued, was within the exception of this act."

F. M. HOPKINS,
J. L. WILSON,
B. W. NEWBERRY,
GEO. W. DUNHAM,

Conference Committee on Part of Senate.

GEO. E. GRIER,
N. J. LEE,
CHAS. W. HACKLER,
F. F. JONES,

Conference Committee on Part of House.

Senator Hopkins moved to adopt the report of the conference committee on House File No. 379, and also to adopt and include in the bill the amendments recommended by said committee.

Senator Gilliland moved the previous question.

Carried.

On the question, "Shall the report of the conference committee and the amendments recommended by said committee be adopted?"

The President resumed the chair at 11:20 o'clock.

The yeas were:

Senators Allen, Burgess, Dowell, Dunham, Eckles, Ericson, Gilliland, Hopkins, Hughes, Jamieson of Page, Lambert, Maytag, Moon, Newberry, Peterson, Seeley, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Young—23.

The nays were:

Senators Bruce, Clark, DeArmand, Foley, Gale, Jackson, Jamison of Clarke, McKlveen, Saunders, Smith of Mitchell, Stookey—11.

Absent or not voting:

Senators Bleakly, Crossley, DeWolf, Elerick, Frudden, Jones, Kimmel, Kinne, McManus, Mattes, Nichols, Smith of Des Moines, Taylor, Wade, Whiting, Wilson of Clinton—16.

So the motion to adopt the report and amendments was lost.

Senator Turner raised the point of order that a constitutional majority was not necessary to adopt the report and amendments recommended by the conference committee.

The President ruled the point not well taken.

EXPLANATIONS OF VOTES.

This bill discriminates between railway employes and is calculated to destroy the medical departments of the railway of Iowa and it thereby strikes a blow at every man who is engaged in the operation of trains. The transportation issued to railway employes is not free and to discriminate between employes is unjust. I favor the law enacted on this subject by Congress and I regret that I have not an opportunity to vote for such a measure.

For these reasons I vote "no."

C. G. SAUNDERS.

I vote "no" for the reason that I do not believe any self-respecting attorney or physician should support the report of the conference committee.

JOHN H. JACKSON.

MR. PRESIDENT—I vote "no" because the measure is so at variance in the multitude of its exceptions from what an anti-pass bill, deserving of the name, contemplates.

J. A. DEARMAND.

Senator Smith of Mitchell filed the following motion:

I move to reconsider the vote by which the report of the conference committee on House File No. 379 failed to pass the Senate.

JAS. A. SMITH.

On motion the Senate took a recess subject to the call of the President.

The President called the Senate to order.

INTRODUCTION OF BILLS.

By Senator Maytag, Senate File No. 375.

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.

SEC. 2. There is further appropriated from the State treasury for a term of two years ending June 30, 1909, 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.

SEC. 3. 1. For the office of Auditor of State, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Thirty-seven Thousand One Hundred and Sixty Dollars (\$37,160.00).

2. For the office of Attorney-General, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Eleven Thousand Four Hundred dollars (\$11,400.00).

3. For the office of State Mine Inspector, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Two Thousand Dollars (\$2,000.00).

4. For the Railroad Commission for clerical help, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Six Thousand Dollars (\$6,000.00); for traveling and all other expenses, Two Thousand Five Hundred Dollars (\$2,500.00).

5. For the Historical Department, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Thirteen Thousand Three Hundred and Sixty Dollars (\$13,360.00).

6. For the Geological Survey, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Two Thousand Two Hundred Dollars (\$2,200.00).

7. For the office of Clerk of the Supreme Court, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Five Thousand Eight Hundred and Eighty Dollars (\$5,880.00).

8. For the incidental expenses of the Chief Justice of the Supreme Court, for the period ending June 30, 1909, the sum of Three Thousand Dollars (\$3,000.00); also for bailiff, messenger and stenographic service, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Twelve Thousand Six Hundred Dollars (\$12,600.00).

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, 1909, the sum of Eleven Thousand Dollars (\$11,000.00); for clerical assistance, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Three Thousand Eight Hundred Dollars (\$3,800.00).

10. For the office of Treasurer of State, for the period ending June 30, 1909, as per Joint Resolution No. 6, for salaries and incidental expenses, the sum of Eleven Thousand Five Hundred and Sixty Dollars (\$11,560.00).

11. For the office of Superintendent of Public Instruction, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Four Thousand Three Hundred and Sixty Dollars (\$4,360.00).

12. For the office of State Librarian, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Eight Thousand One Hundred and Sixty Dollars (\$8,160.00).

13. For the office of Supreme Court Reporter, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of One Thousand Four Hundred and Forty Dollars (\$1,440.00).

14. For the office of Secretary of State, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Twenty Thousand Eight Hundred (\$20,800.00).

15. For the office of Governor, for the period ending June 30, 1909, for a contingent and expense fund, the sum of Three Thousand Nine Hundred and Thirty-six Dollars (\$3,936.00); for the expenses of employing additional counsel when necessary, under provisions of

Sections Sixty Three (63) and Sixty-four (64) of the Code, the sum of Two Thousand Five Hundred Dollars (\$2,500.00); for investigation of applications for pardon and parole and for return of paroled prisoners, the sum of Five Hundred Dollars (\$500.00); for house rent for the Governor, the sum of One Thousand Two Hundred Dollars (\$1,200.00); for employes in the office of the Governor, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Ten Thousand Four Hundred Dollars (\$10,400.00).

16. For employes under the custodian, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Fifty-seven Thousand and Forty Dollars (\$57,040.00).

17. For providential contingencies, the sum of Fifty Thousand Dollars (\$50,000.00), 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 One Hundred Five Thousand Dollars (\$105,000.00), to be expended under the direction of the Executive Council, under the provisions of Section One Hundred and Sixty-five (165) of the Code, for furniture, stores and supplies, and the further sum of Twenty-two Thousand Dollars (\$22,000.00), or so much thereof as shall be necessary, for the purchase of fuel.

19. There is hereby appropriated the sum of Twenty Thousand Dollars (\$20,000.00), to be expended under the direction of the Executive Council, under the provisions of Section One Hundred and Sixty-four (164) of the Code.

20. There is hereby appropriated for the payment of postmaster for the Capitol, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Two Thousand Dollars (\$2,000.00).

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, 1909, as per Joint Resolution No. 6, the sum of Two Thousand Dollars (\$2,000.00).

22. For the office of secretary of Executive Council, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Eleven Thousand Dollars (\$11,000.00).

23. There is hereby appropriated for the purpose of paying express, freight and drayage, for the period ending June 30, 1909, the sum of Seventeen Thousand Five Hundred Dollars (\$17,500.00), 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, 1909, the sum of One Thousand Six Hundred Dollars (\$1,600.00) each, and warrants shall be issued monthly therefor at the end of each month.

25. 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).

26. For the Library Commission, for salaries and expenses for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Three Thousand Two Hundred and Forty Dollars (\$3,240.00).

27. To the State Board of Health for extra clerical assistance for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Eighteen Hundred Dollars (\$1,800.00).

28. For the office of the Bureau of Labor Statistics, for the period ending June 30, 1909, as per Joint Resolution No. 6, the sum of Eighteen Hundred Dollars (\$1,800.00).

SEC. 4. 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.

SEC. 5. To Warren Garst, Lieutenant-Governor, as President of the Senate, the sum of One Thousand One Hundred Dollars (\$1,100.00).

SEC. 6. To N. E. Kendall, as Speaker of the House of Representatives, the sum of Five Hundred and Fifty Dollars (\$550.00), which shall be in addition to his salary as member of the House.

SEC. 7. For Chaplains of the Senate and of the House of the Thirty-second General Assembly, the sum of Six Hundred and Fifty-five Dollars (\$655.00), 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.

SEC. 8. 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 and Twenty-six (5626) of the Code, the sum of Three Hundred Eighty-seven Dollars and Fifty-nine Cents (\$387.59), to be paid on a statement approved by the Governor.

SEC. 9. For the support fund of the wardens of the penitentiaries at Anamosa and Fort Madison, the sum of Five Hundred Dollars (\$500.00) each, payable quarterly, during the period ending June 30, 1909.

SEC. 10. To the Secretary of State for indexing Journals for the House and Senate of the Thirty-second General Assembly, in addition to the amount provided by law, the sum of Two Hundred Dollars (\$200.00).

SEC. 11. 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).

SEC. 12. To S. Davidson & Brothers for desk and two chairs, the sum of Two Hundred Dollars (\$200.00).

SEC. 13. To Des Moines Tent & Awning Company for use of one hundred and fifty chairs in House chamber, occasion of W. J. Bryan meeting, the sum of Three Dollars and Seventy-five Cents (\$3.75).

SEC. 14. To Des Moines Rubber Stamp Works for badges for the House and Senate of the Thirty-second General Assembly, the sum of Sixty-six Dollars and Seventy-five Cents (\$66.75).

SEC. 15. To Baker-Trisler Company for two gavels, the sum of Two Dollars and Seventy Cents (\$2.70).

SEC. 16. To Clay county to pay for farmers' institute held in this county, the institute fund being charged off before vouchers were filed in the office of Auditor of State, the sum of Seventy-five Dollars (\$75.00).

SEC. 17. To the Board of Control for additional draftsman in that department, the sum of Twelve Hundred Dollars (\$1,200.00).

SEC. 18. To W. C. Tompkins, as member of Andersonville Monument Commission, for expenses, the sum of Fourteen Dollars and Seventy-eight Cents (\$14.78).

SEC. 19. To the Secretary of State for the purchase of one hundred and sixty complete sets of the Annotation to the Laws of Iowa for the use of the Thirty-third General Assembly, the sum of One Hundred and Sixty Dollars (\$160.00).

SEC. 20. To The Kenyon Printing & Manufacturing Company for printing, contracted in preparing the proceedings of the Interstate Senatorial Amendment Convention, the sum of Two Hundred Nineteen Dollars and Thirty Cents (\$219.30).

SEC. 21. To Luella Nash, general stenographer, for stenographic work, and postage, contracted in preparing and distributing the proceedings of the Interstate Senatorial Amendment Convention, the sum of Fifty-one Dollars and Twenty-three Cents (\$51.23).

SEC. 22. For the rent of storage rooms for the Adjutant-General for the period ending July 1, 1909, the sum of Two Thousand Dollars (\$2,000.00).

SEC. 23. To the Remington Typewriter Company for the rent of typewriter for the Senate for the Thirty-second General Assembly, the sum of Eight Dollars (\$8.00).

SEC. 24. To Underwood Typewriter Company for rent of typewriter for enrolling bills in House of Representatives, the sum of Eleven Dollars and Fifty Cents (\$11.50).

SEC. 25. To cover the deficit in the salary account of the Attorney-General, Secretary of State, as secretary, and as member of the Executive Council, Treasurer of State, and as member of the Executive Council, the sum of One Hundred Eighty-four Dollars and Eighty-eight Cents (\$184.88).

SEC. 26. For the purpose of paying the interest of the indebtedness of the State to the permanent school fund, the sum of One Thousand Three Hundred Twelve Dollars and Fifty Cents (\$1,312.50), 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.

SEC. 27. To The Register and Leader for joint resolution of the Interstate Senatorial Amendment Convention, the sum of Four Dollars (\$4.00).

SEC. 28. To the State Entomologist department, the sum of One Hundred Sixty-nine Dollars and Seventeen Cents (\$169.17), to cover deficiency in per diem and expenses authorized by Section Twenty-five Hundred and Seventy-five (2575) of the Supplement to the Code.

SEC. 29. To John Herriott, Lieutenant Governor, as President of the Senate, six days at Ten Dollars (\$10.00) per day, Sixty Dollars (\$60.00).

SEC. 30. To the employes of the House and Senate for services required after adjournment, Two Hundred Dollars (\$200.00), or so much thereof as may be necessary.

SEC. 31. For the wardens' house fund at the penitentiaries at Fort Madison and Anamosa, Two Hundred Dollars (\$200.00) each, for the period ending July 1, 1909.

SEC. 32. For the Custodian the sum of One Thousand (\$1,000) Dollars, to pay for shoveling snow and other necessary work, warrants for same to be drawn upon certificate of the Custodian.

SEC. 33. To the Executive Council, to meet necessary expenses, for which no appropriation is made, the sum of Three Thousand Dollars (\$3,000.00), and for clerical assistance in the office of the secretary of the Executive Council, not provided for in Joint Resolution No. 6, the sum of Twelve Hundred Dollars (\$1,200.00), to be disbursed on claims approved by the Executive Council, and the Auditor of State shall draw warrants therefor.

SEC. 34. To the Secretary of State for extra clerk hire during the Thirty-second General Assembly, the sum of Four Hundred Forty-four Dollars (\$444.00).

SEC. 35. All allowances made herein to any of the foregoing named departments for additional assistance; extra or additional clerical assistance; assistant help in janitor service; contingent fund; extra stenographic or messenger service, shall be made upon verified pay rolls, or bills, to be audited and approved by the Executive Council.

SEC. 36. 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 Capital, newspapers published at Des Moines, Iowa.

Read first and second time and taken up for consideration.

THIRD READING OF BILLS.

Senate File No. 375, a bill for an act to make appropriation for the payment of State and Judicial officers.

Senator Maytag moved that the rules by which no bill shall be read a second and third time on the same day be suspended.

Carried.

The bill was read for information.

Senator Maytag moved that the rule be suspended, 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, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Elerick, Ericson, Foley, Frudden, Gale,

Gilliland, Hopkins, Hughes, Jackson, Lambert, McKlveen, Maytag, Newberry, Nichols, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Warren—31.

The nays were:

None.

Absent or not voting:

Senators Allen, DeWolf, Jamieson of Page, Jamison of Clarke, Jones, Kimmel, Kinne, McManus, Mattes, Moon, Peterson, Smith of Des Moines, Taylor, Wade, Whipple, Whiting, Wilson of Fayette, Wilson of Clinton, Young—19.

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. 182, a bill for an act providing for the inside finishing and completion of the Historical, Memorial and Art building 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 No. 374, a bill for an act to amend an act passed by the Thirty-second General Assembly, entitled "An act making appropriations for the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal School, and known as Senate File No. 77.

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 approving estimates of costs, plans, and specifications of an annex Hall of Agriculture, an addition to Margaret Hall, an engineering laboratory, and dairy and poultry farm buildings, and authorizing the erection of said buildings.

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. 241, a bill for an act to amend Section One (1) of Chapter Eighty-nine (89) of the laws of the Thirty-first General Assembly, relating to actions against joint carriers.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

Senate File No. 182, a bill for an act providing for the inside finishing and completion of the Historical Memorial and Art Building, and making an appropriation therefor.

Passed on file.

Senate File No. 374, a bill for an act to amend an act passed by the Thirty-second General Assembly entitled "An act making appropriations for the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal School, and known as Senate File No. 77."

Passed on file.

House has passed Senate joint resolution approving estimates of costs, plans, and specifications of an annex hall of agriculture, an addition to Margaret Hall, an engineering laboratory, and dairy and poultry farm buildings and authorizing the erection of said buildings.

Passed on file.

Senate File No. 241, a bill for an act to amend Section One (1) of Chapter Eighty-nine (89) of the laws of the Thirty-first General Assembly, relating to actions against joint carriers.

Passed on file.

Senator Smith of Mitchell called up the motion filed by him for reconsideration of the vote by which the report of the conference committee on House File No. 379 and amendments recommended by said committee failed to pass the Senate.

The motion prevailed.

Senator Hopkins moved to adopt the report of the conference

committee on House File No. 379, and also to adopt and include in the bill the amendments recommended by said committee.

On the question, "Shall the report and amendments be adopted?"

The yeas were:

Senators Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Ericson, Foley, Frudden, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Lambert, McKlveen, Maytag, Moon, Newberry, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Young—35.

The nays were:

Senators Jamison of Clarke, Nichols—2.

Absent or not voting:

Senators DeWolf, Elerick, Gale, Jones, Kimmel, Kinne, McManus, Mattes, Smith of Des Moines, Taylor, Wade, Whiting, Wilson of Clinton—13.

So the report of the conference committee was adopted.

EXPLANATION OF VOTE.

MR. PRESIDENT—I desire to explain my vote. I have favored the retention of a provision in the anti-pass law allowing two attorneys and two physicians in each county, but that seems now impossible. Rather than defeat all anti-pass legislation for this session, I vote "aye."

JOHN FOLEY.

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. 375, a bill for an act to make appropriations 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 failed to pass the following bill, in which the concurrence of the House was asked:

Senate File No. 366, a bill for an act to authorize and empower the Executive Council to redecorate and refinish the Senate Chamber at the Capitol building, together with the Lieutenant-Governor's rooms, and committee and cloak rooms connected therewith, and to make an appropriation therefor.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Smith of Mitchell Senate File No. 376, a bill for an act to provide for the general levy for State purposes for the years 1907 and 1908:

A BILL for an act to provide for the general levy for State purposes for the years nineteen hundred and seven (1907) and nineteen hundred and eight (1908).

Be It Enacted by the General Assembly of the State of Iowa:

SECTION 1. That the Executive Council shall, in the year nineteen hundred and seven (1907), fix the rate per centum to be levied upon the valuation of the taxable property of the State necessary to yield for general State purposes approximately the sum of Two Million Two Hundred and Fifty Thousand (\$2,250,000) Dollars; and in the year nineteen hundred and eight (1908) shall fix the rate necessary to yield approximately the further sum of Two Million Two Hundred and Fifty Thousand (\$2,250,000) Dollars.

SEC. 2. The Executive Council shall certify the rate necessary to the Auditor of each county.

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 Capital, newspapers published in Des Moines, Iowa.

Read first and second time and taken up for consideration.

THIRD READING OF BILLS.

Senate File No. 376, a bill for an act to provide for the general levy for State purposes for the years 1907 and 1908.

Senator Smith of Mitchell moved that the rules by which no bill shall be read a second and third time on the same day, be suspended.

Carried.

The bill was read for information.

Senator Smith of Mitchell moved that the rule be suspended, 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 Allen, Bleakly, Bruce, Burgess, Clark, Crossley, DeArmand, Dowell, Dunham, Eckles, Ericson, Foley, Frudden, Gale, Gilliland, Hughes, Jamieson of Page, Maytag, Moon, Newberry, Nichols, Peterson, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Stuckslager, Warren, Whipple, Wilson of Fayette, Young—32.

The nays were:

None.

Absent or not voting:

Senators DeWolf, Elerick, Hopkins, Jackson, Jones, Jamison of Clarke, Kimmel, Kinne, Lambert, McKlveen, McManus, Mattes, Smith of Des Moines, Taylor, Turner, Wade, Whiting, Wilson of Clinton—18.

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. 375, a bill for an act to make appropriations for the payment of State and judicial officers, State and other expenses.

Passed on file.

House has failed to pass Senate File No. 366, a bill for an act to authorize and empower the Executive Council to redecorate and refinish the Senate chamber at the Capitol building, together with the Lieutenant-Governor's rooms, and committee and cloak rooms connected therewith, and to make an appropriation therefore.

Passed on file.

On motion the Senate stood at ease subject to the call of the President.

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 House has passed the following joint resolution, in which the concurrence of the House was asked:

Joint Resolution No. 8, approving estimates of costs, plans and specifications of Law building, Physics building and addition to Engineering building at the State University at Iowa City, Iowa, and authorizing the erection thereof.

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 and concurs in the amendments as recommended by the conference committee on House File No. 402, a bill for an act to limit the expenses, other than losses, of State mutual hail insurance associations and to limit the compensations to be paid to officers, agents and employes of such associations.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House has passed Joint Resolution No. 8, approving estimates of costs, plans and specifications of law building, physics building and addition to engineering building at the State University at Iowa City, Iowa, and authorizing the erection thereof.

Passed on file.

House has adopted the conference committee report and concurs in the amendments as recommended by the conference committee on House File No. 402, a bill for an act to limit the expenses, other than losses, of state mutual hail insurance associations and to limit the compensations to be paid officers, agents and employes of such associations.

Senator Bleakly raised the point of order that the report of the conference committee on House File No. 402 not being signed by a majority of the committee from each body, could not be considered.

The President ruled the point of order well taken.

The bill was ordered passed on file.

The President announced that he had signed, in the presence of the Senate, Senate Files No. 373, 360, 301, 350, 61, 358, 198, 26, 339, 227, 349, 367, 372, 162, 47 and 357.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 367, a bill for an act authorizing the Executive Council to install an additional boiler and additional equipment in the power and storage house, and to erect an additional storage house, and to make appropriation therefor.

Also:

Senate File No. 349, a bill for an act to repeal Section Thirteen Hundred and Forty-six-d (1346-d) of the Supplement to the Code, relating to the assessment of express companies for taxation, and to enact a substitute therefor.

Also:

Senate File No. 227, a bill for an act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities of the first class, which may now or hereafter have a population of fifty thousand (50,000), or cities under special charter, which now have or may hereafter have a population of fifty thousand (50,000) inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement thereof.

Also:

Senate File No. 339, a bill for an act to amend Section Fifty-six Hundred and Sixty-three (5663) of the Code as it appears in the section of said number in the Supplement to the Code, relative to the number of guards in the State penitentiaries.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 367, a bill for an act authorizing the Executive Council to install an additional boiler and additional equipment in the power and storage house, and to erect an additional storage house, and to make appropriation therefor.

Also:

Senate File No. 349, a bill for an act to repeal Section Thirteen Hundred and Forty-six-d (1346-d) of the Supplement to the Code, relating to the assessment of express companies for taxation, and to enact a substitute therefor.

Also:

Senate File No. 227, a bill for an act to prohibit the discharge into

the open air of dense smoke within the corporate limits of cities of the first class, which may now or hereafter have a population of fifty thousand (50,000), or cities under special charter, which now have or may hereafter have a population of fifty thousand (50,000) inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement thereof.

Also:

Senate File No. 339, a bill for an act to amend Section Fifty-six Hundred and Sixty-three (5663) of the Code as it appears in the section of said number in the Supplement to the Code, relative to the number of guards in the State penitentiaries.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 367, a bill for an act authorizing the Executive Council to install an additional boiler and additional equipment in the power and storage house, and to erect an additional storage house, and to make appropriation therefor.

Also:

Senate File No. 349, a bill for an act to repeal Section Thirteen Hundred and Forty-six-d (1346-d) of the Supplement to the Code, relating to the assessment of express companies for taxation, and to enact a substitute therefor.

Also:

Senate File No. 227, a bill for an act to prohibit the discharge into the open air of dense smoke within the corporate limits of cities of the first class, which may now or hereafter have a population of fifty thousand (50,000), or cities under special charter, which now have or may hereafter have a population of fifty thousand (50,000) inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement thereof.

Also:

Senate File No. 339, a bill for an act to amend Section Fifty-six Hundred and Sixty-three (5663) of the Code as it appears in the section of said number in the Supplement to the Code, relative to the number of guards in the State penitentiaries.

Also:

Senate File No. 372, a bill for an act legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa, in purchasing grounds for park and appropriating money from the park fund in partial payment of the same, and any and all acts of the City Treasurer of said city in the payment of warrants drawn on the park fund by the City Clerk of said city.

W. B. SEELEY,
Chairman.

Adopted.

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 receded from its amendments to the following bill, in which the concurrence of the Senate was asked:

Senate File No. 159, a bill for an act to amend Chapter Six (6) of Title Nine (9) of the Code, relating to the distribution of dividends on stock in stock companies writing participating life insurance policies.

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. 494, a bill for an act amending an act passed by the Thirty-second General Assembly, entitled "An act prohibiting the corrupt influencing of agents and officers acting in behalf of a principal in any business transaction."

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

House has receded from its amendments to the following bill in which the concurrence of the Senate was asked: Senate File No. 159, a bill for an act to amend Chapter Six (6) of Title Nine (9) of the Code, relating to the distribution of dividends on stock in stock companies writing participating life insurance policies.

Passed on file.

House File No. 494, a bill for an act amending an act passed by the Thirty-second General Assembly entitled "An act prohibiting the corrupt influencing of agents and officers acting in behalf of a principal in any business transaction."

Read first and second time.

THIRD READING OF BILLS.

House File No. 494, a bill for an act amending an act passed by the Thirty-second General Assembly entitled "An act prohibiting the corrupt influencing of agents and officers acting in behalf of a principal in any business transaction," was taken up and considered.

Senator Hopkins moved that the rules by which no bills shall be read a second and third time on the same day be suspended.

Carried.

The bill was read for information.

Senator Hopkins moved that the rule be suspended and the bill read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Allen, Bleakly, Clark, DeArmand, Dowell, Eckles, Ericson, Foley, Gale, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Lambert, Maytag, Newberry, Saunders, Seeley, Smith of Mitchell, Stirton, Stookey, Turner, Warren, Whipple, Young—26.

The nays were:

None.

Absent or not voting.

Senators Bruce, Burgess, Crossley, DeWolf, Dunham, Elerick, Frudden, Jamison of Clarke, Jones, Kimmel, Kinne, McKlveen, McManus, Mattes, Moon, Nichols, Peterson, Smith of Des Moines, Stuckslager, Taylor, Wade, Whiting, Wilson of Fayette, Wilson of Clinton—24.

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. 376, a bill for an act to provide for the general levy for State purposes for the years 1907 and 1908.

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 directing the State Fish and Game Warden to investigate the necessity of dredging the several lakes in the State, etc.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

Senate File No. 376, a bill for an act to provide for the general levy for State purposes for the years 1907 and 1908.

Passed on file.

House has passed concurrent resolution relative to directing the State Fish and Game Warden to investigate the necessity of dredging the several lakes in the State, etc.

Passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 358, a bill for an act making appropriations for the State University of Iowa.

Also:

Senate File No. 61, a bill for an act additional to Title Seven (7), Chapter Two (2) of the Code, authorizing County Treasurers to commence and prosecute ordinary actions at law for the enforcement of tax liens, and the collection of taxes, in addition to all the other remedies now provided by law for the collection of taxes, and for the issuance of a writ of attachment in certain cases, without bond, for the purpose of enforcing the payment of taxes whether due or not due, and collecting the same.

Also:

Senate File No. 360, 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:

Senate File No. 350, a bill for an act to amend the law as it appears in Section One (1), Chapter Eighty-five (85), acts of the Thirtieth General Assembly, relating to salary of Commissioner of Bureau of Labor Statistics and his deputy.

Also:

Senate File No. 301, a bill for an act to indemnify C. T. Jones for money paid out by him in contesting a civil action instituted against him by the State of Iowa.

Also:

Senate File No. 373, a bill for an act to define the duty of common carriers of freight respecting the speed of cars of live stock, conferring additional powers upon the Board of Railroad Commissioners with relation thereto, and providing for the enforcement of the orders, rulings and regulations of the board.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 358, a bill for an act making appropriations for the State University of Iowa.

Also:

Senate File No. 61, a bill for an act additional to Title Seven (7), Chapter Two (2) of the Code, authorizing County Treasurers to commence and prosecute ordinary actions at law for the enforcement of tax liens, and the collection of taxes, in addition to all other remedies now provided by law for the collection of taxes, and for the issuance of a writ of attachment in certain cases, without bond, for the purpose of enforcing the payment of taxes whether due or not due, and collecting the same.

Also:

Senate File No. 360, 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:

Senate File No. 350, a bill for an act to amend the law as it appears in Section One (1), Chapter Eighty-five (85), acts of the Thirtieth General Assembly, relating to salary of Commissioner of Bureau of Labor Statistics and his deputy.

Also:

Senate File No. 301, a bill for an act to indemnify C. T. Jones for money paid out by him in contesting a civil action instituted against him by the State of Iowa.

Also:

Senate File No. 373, a bill for an act to define the duty of common carriers of freight respecting the speed of cars of live stock, conferring additional powers upon the Board of Railroad Commissioners with relation thereto, and providing for the enforcement of the orders, rulings and regulations of the board.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 358, a bill for an act making appropriations for the State University of Iowa.

Also:

Senate File No. 61, a bill for an act additional to Title Seven (7), Chapter Two (2) of the Code, authorizing County Treasurers to commence and prosecute ordinary actions at law for the enforcement of tax liens, and the collection of taxes, in addition to all other remedies now provided by law for the collection of taxes, and for the issuance of a writ of attachment in certain cases, without bond, for the purpose of enforcing the payment of taxes whether due or not due, and collecting the same.

Also:

Senate File No. 360, 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:

Senate File No. 350, a bill for an act to amend the law as it appears

in Section One (1), Chapter Eighty-five (85), acts of the Thirtieth General Assembly, relating to salary of Commissioner of Bureau of Labor Statistics and his deputy.

Also:

Senate File No. 301, a bill for an act to indemnify C. T. Jones for money paid out by him in contesting a civil action instituted against him by the State of Iowa.

Also:

Senate File No. 373, a bill for an act to define the duty of common carriers of freight respecting the speed of cars of live stock, conferring additional powers upon the Board of Railroad Commissioners with relation thereto, and providing for the enforcement of the orders, rulings and regulations of the board.

W. B. SEELEY.

Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 372, a bill for an act legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa, in purchasing grounds for park and appropriating money from the park fund in partial payment of the same, and any and all acts of the City Treasurer of said city in the payment of warrants drawn on the park fund by the City Clerk of said city.

Also:

Senate File No. 198, a bill for an act to amend Section One (1), Chapter Twenty-one (21) of the acts of the Thirtieth General Assembly, relating to the compensation of County Recorders.

Also:

Senate File No. 26, a bill for an act to amend Chapter One Hundred and Forty-two (142), laws of the Thirty-first General Assembly, and increasing the appropriation for carrying its purposes into effect.

Also:

Senate File No. 47, a bill for an act to amend the law as it appears in Chapter Eighty-eight (88), laws of the Thirtieth General Assembly, relating to compensation of Deputy and Assistant Dairy Commissioners.

Also:

Senate File No. 357, a bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts.

Also:

Senate File No. 162, a bill for an act to amend Section Thirty-nine Hundred and Fifty-five (3955) of the Code, and to provide for the issuance of an execution when an outstanding execution is lost or destroyed.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 372, a bill for an act legalizing the acts and proceedings of the city council of the city of Oelwein, Iowa, in purchasing grounds for park and appropriating money from the park fund in partial payment of the same, and any and all acts of the City Treasurer of said city in the payment of warrants drawn on the park fund by the City Clerk of said city.

Also:

Senate File No. 198, a bill for an act to amend Section One (1), Chapter Twenty-one (21) of the acts of the Thirtieth General Assembly, relating to the compensation of County Recorders.

Also:

Senate File No. 26, a bill for an act to amend Chapter One Hundred and Forty-two (142), laws of the Thirty-first General Assembly, and increasing the appropriation for carrying its purposes into effect.

Also:

Senate File No. 47, a bill for an act to amend the law as it appears in Chapter Eighty-eight (88), laws of the Thirtieth General Assembly, relating to compensation of Deputy and Assistant Dairy Commissioners.

Also:

Senate File No. 357, a bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts.

Also:

Senate File No. 162, a bill for an act to amend Section Thirty-nine Hundred and Fifty-five (3955) of the Code, and to provide for the issuance of an execution when an outstanding execution is lost or destroyed.

W. B. SEELEY,
Chairman Senate Committee.
PAUL E. STILLMAN,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor, for his approval, Senate File No. 198, a bill for an act to amend Section One (1), Chapter Twenty-one (21) of the acts of the Thirtieth General Assembly, relating to the compensation of County Recorders.

Also:

Senate File No. 26, a bill for an act to amend Chapter One Hundred and Forty-two (142), laws of the Thirty-first General Assembly, and increasing the appropriation for carrying its purposes into effect.

Also:

Senate File No. 47, a bill for an act to amend the law as it appears in Chapter Eighty-eight (88), laws of the Thirtieth General Assembly, relating to compensation of Deputy and Assistant Dairy Commissioners.

Also:

Senate File No. 357, a bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts.

Also:

Senate File No. 162, a bill for an act to amend Section Thirty-nine Hundred and Fifty-five (3955) of the Code, and to provide for the issuance of an execution when an outstanding execution is lost or destroyed.

W. B. SEELEY,

Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

House File No. 475, a bill for an act to amend Section Two Hundred and Eighty-one (281) of the Code, relative to judges not to practice, was taken up and considered.

Senator Moon moved the adoption of the following amendment:

I move to amend the title of said bill by striking from the second line thereof the words "judges not to practice," and by inserting in lieu thereof the words "the practice of law by judges of courts of record."

Adopted.

Senator Moon moved the adoption of the following amendment:

I move to amend Section One (1) of said bill by striking therefrom all that part of said section beginning with and including the word "inserting" in the second line thereof and ending with the word "courts"

in the last line thereof, and by inserting in lieu thereof the words "by adding to said section after the period following the word "State" in the last line thereof the words "but nothing contained in this section shall be construed to prohibit judges of police courts from the practice as attorneys and counselors at law in civil matters."

Adopted.

Senator Moon moved that the rule be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Senators Bleakly, Clark, Crossley, DeArmand, Dowell, Eckles, Erierson, Foley, Gilliland, Hopkins, Hughes, Jackson, Jamieson of Page, Jamison of Clarke, Lambert, Moon, Newberry, Seeley, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Whiting, Wilson of Fayette, Young—30.

The nays were:

None.

Absent or not voting.

Senators Allen, Bruce, DeWolf, Dunham, Elerick, Frudden, Gale, Jones, Kimmel, Kinne, McIlveen, McManus, Mattes, Maytag, Nichols, Peterson, Saunders, Taylor, Wilson of Clinton, Burgess—20.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

Senator Jamieson of Page moved that a committee of three be appointed to notify the Governor that the Senate was ready to adjourn sine die.

Carried.

The President announced as such committee, Senators Jamieson of Page, Young and Eckles.

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 the following bill, in which the concurrence of the House was asked:

House File No. 475, a bill for an act to amend Section Two Hundred and Eighty-one (281) of the Code, relative to judges not to practice.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

House File No. 475, a bill for an act to amend Section Two Hundred and Eighty-one (281) of the Code, relative to judges not to practice.

Passed on file.

The committee appointed to wait upon the Governor announced that they had performed their duty and that the Governor congratulated the Senate on the good work they had done this winter and extended his compliments to them, and while he regretted that the time for parting had come, he had no further communication to present.

President Pro Tem, Smith was called to the chair at 11:45 o'clock.

The President resumed the chair at 11:50 o'clock.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 49, 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.

Also:

House File No. 79, a bill for an act providing for the compilation of a roster of Iowa soldiers, sailors and marines 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; providing the manner of its publication, distribution and sale, and making an appropriation therefor.

Also:

House File No. 411, a bill for an act to amend Title Five (5), Chapter Nine (9) of the Code and amendments thereto, relating to Park Commissioners.

Also:

House File No. 489, a bill for an act making provision to pay a deficit in the fund of the State Board of Health Bacteriological Laboratory at Iowa City.

Also:

House File No. 379, a bill for an act to prohibit common carriers of passengers from issuing, furnishing or giving free tickets, free passes, free transportation, or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act; also for annual reports, and for the repeal of Chapter Ninety (90), laws of the Thirty-first General Assembly.

Also:

House File No. 494, a bill for an act amending an act passed by the Thirty-second General Assembly, entitled "An act prohibiting the corrupt influencing of agents and officers, acting in behalf of a principal, in any business transaction."

Also:

House File No. 475, a bill for an act to amend Section Two Hundred and Eighty-one (281) of the Code, relative to judges not to practice.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

Chairman House Committee.

Ordered passed on file.

The President announced that he had signed in the presence of the Senate, Senate Files Nos. 49, 475, 79, 411, 489, 494 and 379.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 182, a bill for an act providing for the inside furnishing and completion of the historical, memorial and art building, and making an appropriation therefor.

Also:

Senate File No. 241, a bill for an act to amend Section One (1) of Chapter Eighty-nine (89) of the laws of the Thirty-first General Assembly, relating to actions against joint carriers.

Also:

Senate File No. 374, a bill for an act to amend an act passed by the

Thirty-second General Assembly, entitled "An act making appropriations for the Iowa State College of Agriculture and Mechanic Arts, the State University, and the State Normal School, and known as Senate File No. 77.

Also:

Senate File No. 338, a bill for an act for the regulation and taxation of persons who shall maintain an office or place of business where intoxicating liquors are held in store and the purchase price thereof collected for the owner from those not authorized to sell same or from those to whom they have been conditionally sold.

Also:

Joint Resolution No. 7, approving estimates of cost, plans and specifications of an annex to the Hall of Agriculture, an addition to Margaret hall, a general engineering laboratory, and dairy and poultry farm buildings, and authorizing the erection of said buildings.

Also:

Joint Resolution No. 6, fixing the number and compensation of employes in the Department of State at the seat of government.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 8, a bill for an act providing estimates of cost, plans and specifications of law building, physics building, and addition to engineering building at the State University at Iowa City, Iowa, and authorizing the erection thereof.

Also:

Senate File No. 159, a bill for an act to amend Chapter Six (6) of Title Nine (9) of the Code, relating to the distribution of dividends on stock in stock companies writing participating life insurance policies.

Also:

Senate File No. 376, a bill for an act to provide for the general levy for State purposes for the years 1907 and 1908.

Also:

Senate File No. 375, a bill for an act to make appropriations for the payment of State and judicial officers, State and other expenses.

W. B. SEELEY,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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. 182, a bill for an act providing for the inside furnishing and completion of the historical, memorial and art building, and making an appropriation therefor.

Also:

Senate File No. 241, a bill for an act to amend Section One (1) of Chapter Eighty-nine (89) of the laws of the Thirty-first General Assembly, relating to actions against joint carriers.

Also:

Senate File No. 374, a bill for an act to amend an act passed by the Thirty-second General Assembly, entitled "An act making appropriations for the Iowa State College of Agriculture and Mechanic Arts, the State University, and the State Normal School, and known as Senate File No. 77.

Also:

Senate File No. 338, a bill for an act for the regulation and taxation of persons who shall maintain an office or place of business where intoxicating liquors are held in store and the purchase price thereof collected for the owner from those not authorized to sell same or from those to whom they have been conditionally sold.

Also:

Joint Resolution No. 7, approving estimates of cost, plans and specifications of an annex to the Hall of Agriculture, an addition to Margaret hall, a general engineering laboratory, and dairy and poultry farm buildings, and authorizing the erection of said buildings.

Also:

Joint Resolution No. 6, fixing the number and compensation of employes in the Department of State at the seat of government.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

Chairman House Committee.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Seeley, 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 No. 8, a bill for an act providing estimates of cost, plans and specifications of law building, physics building, and addition to the engineering building at the State University at Iowa City, Iowa, and authorizing the erection thereof.

Also:

Senate File No. 159, a bill for an act to amend Chapter Six (6) of Title Nine (9) of the Code, relating to the distribution of dividends on stock in stock companies writing participating life insurance policies.

Also:

Senate File No. 376, a bill for an act to provide for the general levy for State purposes for the years 1907 and 1908.

Also:

Senate File No. 375, a bill for an act to make appropriations for the payment of State and judicial officers, State and other expenses.

W. B. SEELEY,

Chairman Senate Committee.

PAUL E. STILLMAN,

Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate File No. 182, a bill for an act providing for the inside furnishing and completion of the historical, memorial and art building, and making an appropriation therefor.

Also:

Senate File No. 241, a bill for an act to amend Section One (1) of Chapter Eighty-nine (89) of the laws of the Thirty-first General Assembly, relating to actions against joint carriers.

Also:

Senate File No. 374, a bill for an act to amend an act passed by the Thirty-second General Assembly, entitled "An act making appropriations for the Iowa State College of Agriculture and Mechanic Arts, the State University, and the State Normal School, and known as Senate File No. 77.

Also:

Senate File No. 338, a bill for an act for the regulation and taxation of persons who shall maintain an office or place of business where intoxicating liquors are held in store and the purchase price thereof collected for the owner from those not authorized to sell same or from those to whom they have been conditionally sold.

Also:

Joint Resolution No. 7, approving estimates of cost, plans and specifications of an annex to the Hall of Agriculture, an addition to Margaret hall, a general engineering laboratory, and dairy and poultry farm buildings, and authorizing the erection of said buildings.

Also:

Joint Resolution No. 6, fixing the number and compensation of employes in the Department of State at the seat of government.

W. B. SEELEY,
Chairman.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Seeley, from the Committee on Enrolled Bills, submitted the following report:

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. 8, a bill for an act providing estimates of cost, plans and specifications of law building, physics building, and addition to engineering building at the State University at Iowa City, Iowa, and authorizing the erection thereof.

Also:

Senate File No. 159, a bill for an act to amend Chapter Six (6) of Title Nine (9) of the Code, relating to the distribution of dividends on stock in stock companies writing participating life insurance policies.

Also:

Senate File No. 376, a bill for an act to provide for the general levy for State purposes for the years 1907 and 1908.

Also:

Senate File No. 375, a bill for an act to make appropriations for the payment of State and judicial officers, State and other expenses.

W. B. SEELEY,
Chairman.

Ordered passed on file.

A committee from the House appeared and announced that the House was ready to adjourn sine die.

The President announced that he had signed in the presence of the Senate, Joint Resolutions Nos. 6, 7 and 8, and Senate Files Nos. 375, 241, 374, 182, 376, 338 and 159.

Senator Gilliland moved that the President appoint a committee to notify the House that the Senate is now ready to adjourn sine die.

Carried.

The President announced as such committee, Senators Gilliland, Seeley and Foley.

The committee appointed to notify the House announced that they had performed their duty.

Senator Ericson moved, the hour having arrived, that the Senate of the Thirty-second General Assembly do now adjourn sine die.

Carried.

The President declared the Senate of the Thirty-second General Assembly adjourned sine die.

SENATE BILLS

INTRODUCTION AND ACTION

S. F.	Page.
1—By Jamison of Clarke. To amend the law which appears in chapter fifty-six, acts of the Thirtieth General Assembly, relating to the examination of insurance companies.	
Introduced and referred...	101
Reported unfavorably	188
Indefinitely postponed	188
2—By Peterson. Providing for party nominations and election of party committeemen by primary elections and providing for penalties for the violation of the provisions thereof.	
Introduced and referred....	103
Reported unfavorably	920
3—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 a primary election and for the holding of conventions by such political parties or organizations.	
Introduced and referred.	103, 104
Reported unfavorably	920
Indefinitely postponed	920
4—By Turner. To repeal section two thousand and seventy-seven (2077) of the code, relating to railroad passenger rates, and to enact a substitute therefor.	
Introduced and referred ...	104
Reported unfavorably	701
Indefinitely postponed	701
5—By Smith and Mitchell. Defining wife desertion and failure to support wife or family, providing punishment therefor, and permitting a husband or wife to be a witness in such cases.	
Introduced and referred ..	107

S. F.	Page.
Reported with amendments.	215
Amended	272, 273
Passed	273, 274
Amended and passed House.	573
Passed on file.....	576
Senate concurs	875, 876
Enrolled	939, 940, 941
Signed	938
Sent to the Governor.....	943
6—By Ericson. Providing for the erection of a Governor's mansion and making an appropriation therefor.	
Introduced and referred...	110
Reported unfavorably	648
Indefinitely postponed	648
7—By DeWolf. Making appropriations for the State Normal School.	
Introduced and referred...	113
8—By Smith of Des Moines. To amend an act of the Thirtieth General Assembly entitled "An act to promote the public health, convenience and welfare, by levying, ditching and draining the lands of the State, and providing for the establishment of levees, drainage districts, or for the changing of natural watercourses to secure better drainage, and providing for the construction of ditches, drains and watercourses and prescribing the method for so doing, and providing for the assessment and collection of costs and expenses of the same and issuing improvement certificates, or issuing and selling bonds therefor." Additional to Title X (10), chapter two (2), of the code and code supplement.	
Introduced and referred....	113
Substitute reported	413
Substitute amended and adopted	487
Passed	488
Passed House	694
Passed on file.....	702
Enrolled	767, 768
Signed	770
Sent to the Governor.....	768

S. F.	Page.	S. F.	Page.
9—By Allen. To confirm the title of T. C. Loverin in a strip of land on section fifteen (15), township ninety-three (93) north, range thirty-four (34) west of the fifth principal meridian, lying between the true south boundary line and the meandered south boundary line of Rat Lake in said section; and authorizing the Executive Council to quit claim said strip to him.		14—By Jamison of Clarke. Relating to fraternal beneficiary societies.	
Introduced and referred....	113	Introduced and referred....	118
Reported	206	Reported unfavorably	832
Passed	209, 210	Indefinitely postponed	832
Passed House	508		
Passed on file	512	15—By Jamison of Clarke. To establish an insurance department and providing for an insurance commissioner.	
Enrolled	555, 556	Introduced and referred....	118
Signed	560	Reported	714
Sent to the Governor.....	557	Reported with amendments without recommendation..	887
		Made a special order.....	895
		Amended	1011
		Committee amendment lost..	1012
		Passed	1013
		House indefinitely postpones	1256
		Passed on file.....	1270
10—By Frudden. To amend the law as it appears in section one thousand three hundred and thirty-three-d (1333-d) of the supplement to the code.		16—By Jamison of Clarke. Amending section one thousand seven hundred and ninety-four (1794) of the code, relative to fraternal accident associations.	
Introduced and referred.....	114	Introduced and referred....	118
Reported and referred.....	189	Reported unfavorably	188
Substitute reported	602	Indefinitely postponed	188
Substitute adopted and passed	642, 643		
Passed House	893	17—By Young. To regulate the transportation of dead bodies and the practice of embalming, and to provide for examination and license of embalmers, and to provide penalties for violation.	
Passed on file.....	911, 912	Introduced and referred....	118, 119
Enrolled	941, 943	Reported unfavorably	393
Signed	938	Indefinitely postponed	394
Sent to the Governor.....	945	Petition	300
House requests return.....	1010		
Request of House refused..	1057		
		18—By Newberry. Regulating the sale of agricultural seeds, concentrated commercial feeding-stuffs, and the materials from which they are manufactured; defining concentrated commercial feeding-stuffs and what shall constitute purity in various kinds of seeds; prohibiting the adulteration and providing for the correct weighing and marking of agricultural seeds and concentrated commercial feeding-stuffs, and providing for the collection of samples, analyses of the same, and fixing penalties for its violation; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.	
11—By Gilliland. To amend section two thousand one hundred and thirteen (2113) of the code, relating to the powers and duties of the Railroad Commissioners.		Introduced and referred....	119
Introduced and referred... ..	114	Substitute reported	426
Reported	415	Made a special order.....	466
Passed	446, 447	Substitute adopted and amended	510
Amended and passed House	891, 892	Consideration deferred..	510, 517
Passed on file.....	911	Made a special order.....	550
Senate concurs	976, 977, 978	Amendment offered.....	570
Enrolled	1061, 1062	Rereferred	585
Signed	1068	Made a special order.....	758
Sent to the Governor.....	1064		
12—By Jamison of Clarke. To provide a method whereby assessment life associations may be reincorporated as legal reserve life insurance companies.			
Introduced and referred ...	118		
Reported unfavorably.....	546		
Indefinitely postponed	546		
13—By Jamison of Clarke. To provide for a uniform policy to be used by all fire insurance companies doing business in the State of Iowa.			
Introduced and referred....	118		
Reported unfavorably	832		
Indefinitely postponed	832		

S. F.	Page.
Reported with amendments.....	760
Made a special order.....	823
Amendments adopted.....	863, 864, 865, 866, 867
Passed.....	867, 868
Amended and passed House.....	1140
Senate concurs.....	1167, 1168
Enrolled.....	1398, 1399
Signed.....	1397
Sent to the Governor.....	1400
 19—By Newberry. Requiring manufacturers and dealers to label white lead, paints, mixed paints, varnishes, fillers, stains and similar compounds, and linseed oil; defining linseed oil and boiled linseed oil, and fixing penalties for its violation; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.	
Introduced and referred....	119
Substitute reported.....	347
Substitute amended and passed.....	355
Amended and passed House.....	1037
Senate concurs.....	1066, 1067
Enrolled.....	1155, 1157
Signed.....	1155
Sent to the Governor.....	1157
 20—By Bleakly. To repeal chapter five (5) of Title X (10) of the code, and enact a substitute therefor.	
Introduced and referred....	119
Reported with amendments.....	596
Re-referred.....	750
Reported with amendments.....	846
Made a special order.....	848
Amendments adopted.....	929, 930, 931
Passed.....	931, 932
Amended and passed House.....	1319
Passed on file.....	1330
Senate concurs.....	1335, 1336
Enrolled.....	1441, 1443
Signed.....	1448
Sent to the Governor.....	1446
 21—By Bleakly. Regulating disbursements of insurance companies.	
Introduced and referred....	119
Reported unfavorably.....	452
Indefinitely postponed.....	452
 22—By Bleakly. To provide for the investment of the funds of fraternal beneficiary societies, orders or associations.	
Introduced and referred....	120
Reported with amendment.....	188, 189
Amended and passed.....	196
Passed House.....	239
Passed on file.....	241
Enrolled.....	258, 259
Signed.....	262
Sent to the Governor.....	259
 23—By Bleakly. Relating to rates of fraternal beneficiary societies.	
Introduced and referred....	120
Reported unfavorably.....	452
Indefinitely postponed.....	452

S. F.	Page.
 24—By Seeley. To legalize acts of the city council of Mount Pleasant, Iowa, relative to the payment of its councilmen and appropriating money from its treasury for the sufferers from earthquake at San Francisco, California.	
Introduced and printed in Journal.....	120, 121
Referred.....	121
Reported unfavorably.....	227
Indefinitely postponed.....	248
 25—By Frudden. To repeal section three (3) of chapter one hundred and one (101) of the laws of the Thirtieth General Assembly, and sections one (1) and two (2) of chapter one hundred and thirteen (113) of the laws of the Thirty-first General Assembly, relative to establishing and maintaining a State Board of Health laboratory at Iowa City, and enacting in lieu thereof the following.	
Introduced and referred....	121
Reported and re-referred....	256
Reported with amendment....	306
Amended and passed.....	307, 308
Amended and passed House.....	891
Passed on file.....	910
Senate concurs.....	959, 960, 961
Enrolled.....	1061, 1062
Signed.....	1068
Sent to the Governor.....	1064
 26—By Ericson. Making an additional appropriation for the care and permanent preservation of the public archives, additional to the law as it appears in chapter one hundred and forty-two (142), laws of the Thirty-first General Assembly.	
Introduced and referred....	121
Substitute reported.....	1349
Substitute adopted.....	1354
Passed.....	1354, 1355
Passed House.....	1460
Passed on file.....	1466
Enrolled.....	1513, 1514
Signed.....	1505
Sent to the Governor.....	1515
 27—By Allen. To amend section forty-seven (47) of the code, relative to compensation of newspapers for publication of laws.	
Introduced and referred....	121
Reported.....	155
Passed.....	160
House fails to pass.....	349
Passed on file.....	353
 28—By Allen. To amend the law as it appears in section four hundred and sixty-nine (469), Title IV (4), chapter one (1), of the code, relating to the compensation of supervisors.	
Introduced and referred....	121

S. F.	Page.	S. F.	Page.
Reported with amendment..	175	Passed on file.....	1242
Amended and passed...178,	179	Enrolled	1268
House indefinitely postponed	782	Signed	1255
Passed on file.....	790	Sent to the Governor.....	1268
29—By Stookey. To legalize the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the city council of Leon, Iowa, and legalizing all the acts, proceedings and resolutions adopted or passed by the said city council in changing from the incorporated town of Leon, Iowa, to the incorporated city of Leon, Decatur county, Iowa, legalizing all of the aforesaid proceedings as fully and effectually as if the law in every particular had been complied with in the passage of all said acts, proceedings and resolutions and publication thereof, if same had in any respect been omitted or neglected, and legalizing all the acts of the officials acting under said acts, ordinances, proceedings and resolutions.		31—By Newberry. To prevent the adulteration, misbranding and imitation of drugs; and repealing sections four thousand nine hundred and eighty-three (4983), four thousand nine hundred and eighty-five (4985), four thousand nine hundred and eighty-six (4986) and four thousand nine hundred and eighty-eight (4988) of the code; and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.	
Introduced and printed in Journal	121, 122	Introduced and referred....	128
Reported	156	Substitute reported	619
Passed	189, 302	Substitute adopted.....	896, 897
Passed House	302	Amended and passed...897,	898
Passed on file.....	304	Passed House	1257
Enrolled	416, 417	Passed on file.....	1271
Signed	434	Enrolled	1399
Sent to the Governor.....	418	Signed	1397
30—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 offices therefor, defining their powers and duties, and to fix their compensation, and appropriating money necessary to carry the same into effect, and to repeal all acts and parts of acts in conflict therewith.		Sent to the Governor.....	1400
Introduced and referred....	122	Petitions	288, 512, 541
Reported with amendments.	586		
Re-referred	589	32—By Newberry. Making appropriation for the purchase of twenty thousand (20,000) railroad commissioners' official maps, to be distributed by the members of the General Assembly and Railroad Commissioners.	
Reported with same amendments	648	Introduced and referred....	128
Made a special order.....	856	Reported with amendment..	176
Amendments adopted...877,	878	Amended and passed.....	177
Amended	879	Passed House	204
Passed	894	Passed on file.....	205
Amended and passed House.	1072	Enrolled	226
Passed on file.....	1074	Signed	228
Senate refuses to concur...	1085	Sent to the Governor.....	227
House insists	1087		
Conference committee appointed	1087, 1089	33—By McKlveen. To safeguard the public health by regulating the manufacture and sale of "patent" and "proprietary" medicines and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.	
Amendments reported	1129	Introduced and referred....	128
Amendments adopted and passed	1170	Returned and referred to sifting committee	1265
House recedes and adopts conference committee amendments	1235	Petitions	439, 512, 541
		34—By Crossley. Relating to road tax and amending section one thousand five hundred and twenty-eight (1528) of the code, and supplement to the code.	
		Introduced and referred....	129
		Reported unfavorably	244
		Indefinitely postponed.....	260

S. F.	Page.
35—By Stirton. Limiting the commencement of actions for the recovery of real estate.	
Introduced and referred....	129
Reported unfavorably ..278,	279
Indefinitely postponed	308
36—By Moon (by request). To amend chapter fifteen-a (15-a) of the supplement to the code.	
Introduced and referred....	129
Reported unfavorably	305
Indefinitely postponed	305
37—By Peterson. Amendatory of the law as it appears in chapter sixty-eight (68) of the Thirtieth General Assembly, and amendatory acts of the Thirty-first General Assembly, relating to levees, ditches, drains and watercourses, and amending sections two (2), thirteen (13), fourteen (14) and repealing sections eighteen (18) and nineteen (19) of said chapter, and enacting a substitute for said repealed sections.	
Introduced and referred....	142
Substitute reported	526
Substitute adopted and passed	643, 644
Passed House.....	1038
Passed on file.....	1058
Enrolled	1092
Signed	1085
Sent to the Governor.....	1093
38—By Peterson. Prohibiting any corporation doing business within the State or any officer, agent or representative thereof acting for such corporation, from giving or contributing any money, property, labor or thing of value, to any member of any political committee, party or employe thereof, or to any candidate for any office for campaign expenses or political purpose whatsoever. And prohibiting any member of any political committee, party or employe thereof, or any candidate for any office from soliciting, requesting or knowingly receiving any such contribution from any corporation for campaign expenses or political purpose whatsoever, and providing a penalty for the violation thereof.	
Introduced and referred....	142, 143
Reported with amendment..	217
Amended	229, 230
Made a special order..	230, 269
Considered and amended...	269
Passed	270
*Amended and passed House	539

S. F.	Page.
Passed on file.....	589
Senate refuses to concur..	719, 720
Motion to reconsider filed..	720
Reconsidered	874
Senate concurs	874, 875
Enrolled	940, 941
Signed	938
Sent to the Governor.....	943
39—By Elerick. To protect creditors who deposit money in savings, state and private banks.	
Introduced and referred....	143
Reported unfavorably	223
Indefinitely postponed	260
40—By McKlveen. To amend the law as it appears in section four thousand two hundred and ninety-five (4295) of the code, relating to assignment, release and satisfaction of mortgages on the margin of the record, and indexing the same, and providing a fee therefor.	
Introduced and referred....	143
Reported unfavorably..	161, 162
Indefinitely postponed ..	256, 257
41—By McKlveen. Providing for district sanitary conventions.	
Introduced and referred....	143
Reported	218
Considered	219
Amended and passed.....	220
House fails to pass.....	458
Passed on file.....	460
42—By Warren. Relating to the capital stock of insurance companies.	
Introduced and referred....	143
Substitute reported	545
Substitute adopted	633
Passed	634
Amended and passed House.	1198
Passed on file.....	1213
Senate concurs	1258, 1259
Enrolled	1302
Signed	1301
Sent to the Governor.....	1303
43—By Smith of Mitchell. Providing for the compilation of a roster of Iowa soldiers, sailors and marines 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 of soldiers, sailors and marines of other states and territories living in Iowa, and making an appropriation therefor.	
Introduced and referred....	143

*Erroneously printed Senate File No 28, passed House.

S. F.	Page.
44—By Dunham. To provide for the compilation of the laws of the Thirtieth, Thirty-first and Thirty-second General Assemblies, and the laws as they appear in the code supplement; to annotate the same and the code and rules of the supreme court to and including the May term, 1907, of the supreme court and to publish the said compilations and annotations as "supplement to the code" 1907, and to provide for the appointing of a supervising committee and establish a salary for the editor of such supplement to the code, and making an appropriation therefor.	
Introduced and referred....	144
Reported with amendments	160
Amended and passed.....	162
Amended and passed House.	283
Passed on file.....	285
Senate concurs	295
Enrolled	377
Signed	384
Sent to the Governor.....	378
Commission appointed	478
45—By Turner. To amend the law as it appears in section two thousand two hundred and eleven (2211) of the supplement to the code, and to amend section twelve (12) of chapter seventy-seven (77) of the acts of the Thirtieth General Assembly, and section eighteen (18) of chapter ninety-one (91) of the acts of the Thirty-first General Assembly, and to repeal section fourteen (14) of chapter ninety-one (91) of the acts of the Thirty-first General Assembly, and to enact a substitute therefor, and to provide for stoppage of compensation due officers and men of the Iowa National Guard for loss or damage to property issued them by the State for military purposes.	
Introduced and referred....	144
Reported and re-referred	524
Reported	705
Passed	969
Motion to reconsider filed..	994
Motion to reconsider lost....	1000
House indefinitely postpones.	1310
Passed on file.....	1330
46—By Stirton. To legalize the acts and proceedings of the city council of the city of Anamosa, Iowa, relative to the construction of permanent sidewalks; and relative to the change	

S. F.	Page.
of grade of a certain street.	
Introduced and printed in Journal	144
Referred	145
Reported	156
Passed	168
Passed House	302
Passed on file.....	303
Enrolled	416
Signed	434
Sent to the Governor.....	419
47—By Newberry. To amend the law as it appears in chapter eighty-eight (88), laws of the Thirtieth General Assembly, relating to the compensation of deputy and assistant dairy commissioners.	
Introduced and referred.....	147
Reported unfavorably	450
Consideration deferred.....	654
Re-referred	811
Reported with amendments.	889
Re-referred	909
Reported without recommendation	1097
Amended and passed.....	1110
Amended and passed House.	1459
Senate concurs	1461
Enrolled	1513
Signed	1505
Sent to the Governor.....	1515
48—By Clark. To amend section seven hundred and ninety-two (792) of the code, relating to special improvements and street assessments and conferring upon incorporated towns the same powers possessed by cities in respect thereto.	
Introduced and referred....	148
Reported unfavorably.....	228
Indefinitely postponed.....	260
49—By Dunham. To provide for the purchase of legislative references to and indexes of current legislation and making an appropriation therefor.	
Introduced and referred....	148
Reported with amendment..	176
Amended and passed.....	197
Passed House	381
Passed on file	383
Enrolled	416
Signed	434
Sent to the Governor.....	419
50—By Mattes. Regulating the election or appointment of the directors or other persons by whom the affairs of corporations organized on the stock plan for transacting the business of life or fire insurance companies are to be conducted so as to secure proportionate representation to minority stockholders and providing for the election of directors, nominated by a minority of the stockholders; additional to chapter one	

S. F.	Page.
(1), four (4), six (6), seven (7) and eight (8) of Title IX (9) of the code.	
Introduced and referred....	148
Reported with amendments....	453
Amended.....	499, 500
Made a special order.....	500
Passed.....	506, 507
Passed House.....	826
Passed on file.....	849
Enrolled.....	940, 942
Signed.....	938
Sent to the Governor.....	944
51—By Jamieson of Page. To prescribe the duties of express companies and other common carriers handling or delivering packages where the purchase price or any part thereof is collected on delivery, and packages with bill of lading attached.	
Introduced and referred....	148
Reported and re-referred....	619
Reported unfavorably.....	915
Indefinitely postponed.....	992, 993
52—By Jamieson of Page. To regulate the disposition of certain intoxicating liquors received from express companies or other common carriers.	
Introduced and referred.....	148, 149
Reported and re-referred.....	618, 619
Reported unfavorably.....	915
Indefinitely postponed.....	992
Petitions.....	188, 189, 749
53—By Elerick. To repeal chapter fifty-nine (59) of the acts of the Thirty-first General Assembly, and amend section one thousand five hundred and thirty-eight (1538) of the code.	
Introduced and referred....	149
54—By Allen. To amend the law as it appears in Title VII (7), chapter two (2), section one thousand four hundred and thirty-two (1432), relating to certificates of purchase and providing for renewal of lost or destroyed certificates of purchase.	
Introduced and referred....	149
Substitute reported.....	208
Substitute adopted and passed.....	219
Amended and passed House.....	610, 611
Passed on file.....	614
Senate concurs.....	716, 717
Enrolled.....	779
Signed.....	779
Sent to the Governor.....	780
55—By Dowell. To prohibit and regulate hospitals, institutions and places, created for or maintained and used as lying in or maternity hospitals, or hospitals or places for the reception, care and treatment of women in labor.	

S. F.	Page.
Introduced and referred....	149
Reported with amendments.....	244, 245
Amended and passed.....	250-252
Amended and passed House.....	654
Passed on file.....	663
Senate concurs.....	673, 674
Enrolled.....	767, 768
Signed.....	770
Sent to the Governor.....	769
56—By De Armand. Prohibiting the wearing or use of buttons, badges, regalia or other insignia of certain orders and societies by those not members of such orders or societies, and providing a penalty therefor.	
Introduced and referred....	149
Reported unfavorably.....	206
Indefinitely postponed.....	258
57—By DeArmand (by request). To establish a General District Court.	
Introduced and referred....	149
Reported unfavorably.....	205
Indefinitely postponed.....	258
58—By Frudden. Providing that section six hundred and fifty-four (654) of the supplement to the code, and section six hundred and seventy-two (672) of the code, relating to the appointment and compensation of police matrons be made applicable to special charter cities.	
Introduced and referred.....	149, 150
Reported with amendment..	168
Amended and passed.....	180
Amended and passed House.....	359, 360
Passed on file.....	364
Senate concurs.....	378, 379
Enrolled.....	417, 418
Signed.....	434
Sent to the Governor.....	419
59—By Dowell. To amend sections two thousand five hundred and fifty-five (2555) and two thousand five hundred and fifty-six (2556) of the code, relating to the care and propagation of fish and the protection of birds and game.	
Introduced and referred....	150
Reported unfavorably.....	449, 450
Indefinitely postponed.....	450
60—By Frudden. To validate and legalize the consolidation of the Dunleith and Dubuque Bridge Company, a corporation created under the laws of the State of Illinois, with the Dunleith and Dubuque Bridge Company, a corporation created under the laws of the State of Iowa, and validating and legalizing all rights and franchises exercised under said consolidation by the	

S. F.	Page.	S. F.	Page.
said Iowa corporation and all corporate acts and proceedings of said Iowa corporation, since the consolidation of the said Illinois corporation with it.		Retains place on calendar...	280
Introduced and printed in Journal	151	Rereferred	291
Referred	152	Reported unfavorably	369
Reported	279	Indefinitely postponed	369
Passed	291, 292		
Passed House	425	64—By Taylor. To legalize certain actions of the board of supervisors of Appanoose county, Iowa, relating to drainage district No. 1 of said county and the issuance of bonds for the payment of the expenses, costs, costs of construction and fees.	
Passed on file	436	Introduced and printed in Journal	154
Enrolled	495	Referred	155
Signed	498	Substitute reported	206
Sent to the Governor	496	Substitute adopted and passed	257, 258
61—By Jackson. To authorize the bringing of ordinary suits at law for the collection of delinquent taxes and for the issuance of writs of attachment in certain cases, and to amend section one thousand four hundred fourteen (1414) of the code.		Amended and passed House.	480
Introduced and referred....	152	Passed on file	490
Substitute reported	568	Senate concurs	497
Substitute adopted	932	Enrolled	555, 556
Passed	932, 933	Signed	560
Passed House	1458, 1459	Sent to the Governor	557
Passed on file	1461		
Enrolled	1510, 1511	65—By Stookey. To amend section one thousand eight hundred eighty-four (1884) of the code, that the said section be amended by adding thereto and defining the term, "when insolvent."	
Signed	1505	Introduced and referred ...	155
Sent to the Governor	1512	Reported unfavorably	917
62—By Elerick. To legalize the acts and resolutions passed by the board of supervisors of Van Buren county, Iowa, making a final settlement with H. L. McGrew, county treasurer of said county, and releasing said H. L. McGrew and his bondsmen from liability on account of loss by reason of the deposit of county and other funds in the private banking house of E. H. Skinner & Co.		Indefinitely postponed	917
Introduced and printed in Journal	152		
Referred	154	66—By Jackson. To amend section three thousand one hundred eighty (3180) of the code, relating to judgments in divorce actions.	
Reported	161	Introduced and referred	155
Passed	170	Reported unfavorably	265
Passed House	425	Indefinitely postponed	265
Passed on file	436		
Enrolled	495, 496	67—By Kimmel (by request). To amend section one thousand three hundred and four (1304) of the code, relative to the assessment of taxes.	
Signed	498	Introduced and referred ...	157
Sent to the Governor	496	Reported unfavorably	225, 226
63—By Young. To repeal sections four thousand nine hundred forty-six-b (4946-b), four thousand nine hundred forty-six-c (4946-c), four thousand nine hundred forty-six-d (4946-d) and four thousand nine hundred forty-six-e (4946-e) of the supplement to the code, relating to the disposition of unclaimed dead bodies; providing for their use for anatomical purposes, and providing penalties for violation, and to enact in lieu thereof the following.		Indefinitely postponed	226
Introduced and referred ...	154		
Reported	255	68—By Kimmel (by request). 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 punishment 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 and sixty-two (2562) of the code, relating to the deputy fish and game wardens.	
		Introduced and referred	157
		Reported unfavorably	715
		Indefinitely postponed	715

S. F.	Page.
69—By Peterson. To amend section three thousand five hundred and twenty-nine (3529) of the supplement to the code, relating to the service of original notice upon any corporation or person owning or operating any railway, or canal, steamboat or other river craft, or any telegraph, telephone, stage coach or car line, express company or foreign corporation.	
Introduced and referred	157, 158
Reported with amendments	176
Amended and passed	180-182
Passed House	794
Passed on file	799, 800
Enrolled	841, 842
Signed	842
Sent to the Governor	842
70—By Jamison of Clarke. Repealing section one thousand seven hundred and forty-six (1746) of the code, and enacting a substitute therefor.	
Introduced and referred	158
Reported unfavorably	1023
Indefinitely postponed	1023
71—By Newberry. To amend the law as it appears in sections seven (7) and eight (8) of chapter one hundred and sixty-six (166) of the acts of the Thirty-first General Assembly, relating to the definition of the term "misbranded," and the method of labeling.	
Introduced and referred	158
Reported	194
Passed	194, 195
Passed House	239
Passed on file	240, 241
Enrolled	258, 259
Signed	262
Sent to the Governor	259
72—By Nichols. To amend section one thousand six hundred and sixty-one-a (1661-a) of the supplement to the code, relative to State aid to district or county agricultural societies.	
Introduced and referred	158
Reported unfavorably	1233
Indefinitely postponed	1233
73—By Wilson of Clinton (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 eighteen hundred and ninety-seven (1897).	
Introduced and referred	158
Reported with amendments	569
Referred	570
Reported with same amendments	684
Amendments adopted	1029

S. F.	Page.
Passed	1030
Passed House	1200
Passed on file	1214, 1215
Enrolled	1281, 1283
Signed	1278
Sent to the Governor	1285
74—By Allen. Limiting the indebtedness of State and savings banks and repealing section one thousand eight hundred and fifty-five of the code.	
Introduced and referred	158
Reported with amendments	631
Amendments adopted	721
Consideration deferred	722
Passed	733
Passed House	1139
Passed on file	1176
Enrolled	1206, 1207
Signed	1215
Sent to the Governor	1208
75—By Allen. To repeal section one thousand eight hundred and sixty-nine of the code of Iowa, relating to pay of, and loans to, officers of State and savings banks and to enact a substitute therefor.	
Introduced and referred	158, 159
Reported unfavorably	565
Indefinitely postponed	565
76—By Allen. Repealing section one thousand eight hundred and seventy-two (1872) and one thousand eight hundred and seventy-three (1873) of the code, relating to quarterly statements of State and savings banks and examination by the auditor of state and providing substitutes therefor.	
Introduced and referred	159
Reported with amendments	566
Amendments adopted	770, 771, 772
Consideration deferred	772, 774
Considered	1018, 1019
Passed	1019
House indefinitely postpones	1200
Passed on file	1215
77—By Maytag. Making appropriations for the Iowa State College of Agriculture and Mechanic Arts, the State University, and the State Normal School.	
Introduced and referred	159
Substitute reported	394
Substitute adopted	465
Amended and passed	466
Amended and passed House	695
Passed on file	702
House recalls	774
Request granted	779
Amended and passed House	1394
Passed on file	1401, 1402
Passed Senate	1413, 1414
Enrolled	1469, 1470
Signed	1468
Sent to the Governor	1474

S. F.	Page.	S. F.	Page.	
78—By Young. To provide for the examination and registration of graduated nurses.		83—By Jackson. Regulating the taxation of mortgages, and mortgaged real estate.		
Introduced and referred . . .	159	Introduced and referred . . .	164	
Substitute reported	292	Reported unfavorably	906	
Substitute amended and adopted	379, 380	Indefinitely postponed	907	
Passed	380, 381	84—By Whipple. 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 repeal sections two thousand six hundred and seventeen (2617), two thousand six hundred and eighteen (2618), two thousand six hundred and nineteen (2619), two thousand six hundred and twenty (2620), two thousand six hundred and thirty-five (2635), two thousand six hundred and thirty-six (2636), two thousand six hundred and forty-two (2642), two thousand six hundred and forty-six (2646), two thousand six hundred and forty-seven (2647), two thousand six hundred and fifty (2650), two thousand six hundred and fifty-one (2651), two thousand two (2652), two thousand six hundred and fifty-three (2653), two thousand six hundred and sixty-eight (2668), two thousand six hundred and sixty-nine (2669), two thousand six hundred and seventy (2670), two thousand six hundred and eighty-one (2681) of the code, and the law as it appears in sections two thousand seven hundred and twenty-seven-A-fifty-three (2727-A-53), two thousand seven hundred and twenty-seven-A-fifty-four (2727-A-54), two thousand seven hundred and twenty-seven-A-fifty-five (2727-A-55), two thousand seven hundred and 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.		
Amended and passed House	576	Introduced and referred, 164,	165	
Senate concurs	580	Reported	544	
Enrolled	631, 632	Made a special order	548	
Signed	634	Consideration postponed . . .	574	
Sent to the Governor	633	Amended	576	
79—By Hughes. To amend section three thousand six hundred and eighty-eight (3688) of chapter nine (9) of Title XVIII (18) of the code.		Consideration deferred	586, 591	
Introduced and referred . . .	159	Amended	601	
Substitute reported	266	Passed	603, 604	
Substitute adopted and passed	284	House indefinitely postpones	1309	
House indefinitely postpones	655	Passed on file	1330	
Passed on file	663			
80—By Dowell. Appropriating money to J. H. Cownie, Jr., R. R. McCutcheon and F. M. Hubbell, as trustees, to reimburse them for the funds advanced and used in the purchase of a tract of land for the State as an addition to the State Fair grounds.				
Introduced and referred . . .	159			
Reported with amendment . .	369			
Amended and passed	403, 404			
House indefinitely postpones	839			
Passed on file	851			
81—By Warren. Prohibiting the storage and transportation of powder or other explosives in coal mines while miners or other employes are working therein.				
Introduced and referred . . .	164			
Reported	217			
Amended and passed	222, 223			
Amended and passed House	1275			
Passed on file	1294			
Senate amends and passes	1396, 1397			
House concurs	1437			
Passed on file	1438			
Enrolled	1463, 1472			
Signed	1468			
Sent to the Governor	1473			
82—By Dowell. Provide for the consolidation, and change of boundaries of school districts in certain cities of the first class, and other purposes incident thereto.				
Introduced and referred . . .	164			
Reported	193			
Passed	193, 194			
Passed House	534			
Passed on file	538			
Enrolled	555, 556			
Signed	573			
Sent to the Governor	557			

S. F.	Page.
85—By Crossley. Amending paragraph seven (7) chapter one thousand three hundred and four (1304) of the supplement to the code, relative to exemptions to union soldiers or sailors of the Mexican war or of the War of the Rebellion, or to the widows of said-soldiers or sailors.	
Introduced and referred ...	165
Reported unfavorably ...	291
Indefinitely postponed ...	291
86—By Crossley. To amend section four thousand and eleven (4011) of the code, relating to exemption of personal earnings.	
Introduced and referred ...	165
Reported and referred ...	218
Reported unfavorably ...	1220
Indefinitely postponed ...	1220
87—By Whipple. For the relief of the grantees of Jacob W. Applegate, and for the purpose of having a patent issued in the name of S. S. Judge, for a certain tract of land.	
Introduced and referred.	165, 166
Reported	175
Passed	179
Passed House	302
Passed on file	303
Enrolled	416, 417
Signed	434
Sent to the Governor	418
88—By Taylor. To amend chapter two (2) of Title VIII (8) of the supplement to the code, relating 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	167
Reported unfavorably	244
Indefinitely postponed	261
89—By Jones. To amend section three thousand one hundred and forty-one (3141) of the code, relating to marriage licenses.	
Introduced and referred ...	167
Reported unfavorably	205, 206
Indefinitely postponed	257
90—By Jones. To amend section three thousand one hundred and seventy-three (3173) of the code, relating to divorces.	
Introduced and referred ...	167
Substitute reported	246
Substitute adopted and passed	280, 281
House indefinitely postponed	480
Passed on file	490

S. F.	Page.
91—By Gilliland. To repeal section two thousand and seventy-seven (2077) of the code, relating to maximum rates of fare and enacting a substitute therefor.	
Introduced and referred ...	167
Reported unfavorably	698
Indefinitely postponed	699
92—By Moon. To promote the the safety and health of employes and passengers upon street railways.	
Introduced and referred ...	167
Reported unfavorably	290
Indefinitely postponed	290
Petition	551
93—By Hughes. To prohibit common carriers of passengers, including steam railway, interurban railway, street railway and sleeping car companies, from issuing or giving free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation or discriminating reduced rates by any person except certain described persons; providing a penalty for the violation of the act, also for annual reports and for the repeal of chapter ninety (90), laws of the Thirty-first General Assembly.	
Introduced and referred, 167,	168
Returned and referred to sifting committee	1378
Petition	277
94—By Nichols. Making appropriations for swine barns with show ring, a steel constructed amphitheater and additional land at the Iowa State Fair and Exposition grounds.	
Introduced and referred ...	173
95—By Seeley. To indemnify Charles H. Tribby for damages caused by sewage from the State Hospital for Insane at Mt. Pleasant, Iowa.	
Introduced and referred, 173,	174
Reported with amendments.	492
Referred	493
Recalled and rereferred ...	685
96—By Lambert. To abolish the offices of State printer and State binder, to provide for the State printing and binding by the competitive contract system, to repeal sections one hundred seventeen (117) and one hundred eighteen (118), and to enact substitutes therefor, and to amend sections one hundred nineteen (119), one	

S. F.	Page.	S. F.	Page.
hundred twenty-seven (127), one hundred twenty-nine (129), one hundred thirty (130), one hundred thirty-three (133), one hundred thirty-eight (138), one hundred thirty-nine (139), one hundred forty-one (141) of the code and the law as it appears in sections one hundred sixty-five (165) and one hundred sixty-eight (168) of the supplement to the code, relative to State printer and State binder and State printing and State binding.		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.	
Introduced and referred ...	174	Introduced and referred.	174, 175
Reported with amendments unfavorably	635-637	Reported unfavorably.....	1220
Indefinitely postponed, 1168,	1169	Indefinitely postponed	1220
Petition	388		
97—By Mattes. Making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirty-second General Assembly to visit the several State institutions.		100—By Allen. To repeal section one thousand five hundred thirty (1530) of the code, relative to the levying of taxes for roads and highways.	
Introduced and referred ...	174	Introduced and referred....	175
Reported with amendment..	243	Reported with amendments.	504
Amended and passed ..	247, 248	Amendments adopted ..	650, 651
Amended and passed House.	360	Consideration deferred	651
Passed on file	364, 365	Substitute offered	1368
Senate concurs	372, 373	Substitute adopted	1370
Enrolled	416, 418	Consideration deferred.....	1370
Signed	434		
Sent to the Governor.....	419	101—By Smith of Mitchell. Prescribing the method by which the capital stock of railroad corporations may be increased.	
98—By Turner. To empower the State educational board of examiners to validate teachers' certificates issued in other states.		Introduced and referred... 183	
Introduced and referred....	174	Returned and referred to Sifting Committee.....	1378
Reported	279		
Amended and passed.....	295	102—By Smith of Mitchell. Making an appropriation to pay the additional employes of the Thirty-second General Assembly.	
Passed House	424, 425	Introduced and referred.183,	184
Passed on file.....	436	Reported	243
Enrolled	462, 463	Passed	249, 250
Signed	472	Passed House	381
Sent to the Governor.....	463	Passed on file.....	383
Petition	689	Enrolled	416, 418
99—By Stuckslager. Amendatory to chapter six (6), Title III (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 (25,000) 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		Signed	434
		Sent to the Governor.....	419
		103—By Elerick. To amend section five hundred ninety-one (591) of the code, relative to township clerks.	
		Introduced and referred....	184
		Reported	305
		Consideration deferred	308
		Passed	369, 370
		Amended and passed House.	601
		Passed on file.....	613
		Senate concurs	638
		Enrolled	678
		Signed	680
		Sent to the Governor.....	679
		104—By Smith of Des Moines. To repeal section five (5) of chapter eighty-three (83) of the laws of the Thirty-first General Assembly, relating to levees built by the United States, and to	

S. F.	Page.
enact a substitute therefor.	
Introduced and referred....	184
Substitute reported	412
Substitute adopted	464
Amended and passed....	464, 465
Passed House	694
Passed on file	702
Enrolled	767, 768
Signed	770
Sent to the Governor.....	769

105—By Nichols. To amend chapter two (2) of Title X (10) of the code, relating to United States levees, repealing sections four (4), five (5) and Six (6) of chapter eighty-three (83), laws of the Thirty-first General Assembly, relating to United States levees, and enacting substitutes therefor.	
Reported and rereferred....	184
Reported with amendments.	529
Reported unfavorably	855
Indefinitely postponed	856

106—By Kinne. Relating to fish and game, and making appropriation for the Fish and Game Commission of the State of Iowa.	
Introduced and referred....	184
Reported and referred.....	449
Reported with amendments.	594
Amendments adopted	946
Passed	947
*Passed House	1352
*Erroneously printed House File No. 106.	
Passed on file.....	1362
Enrolled	1441, 1443
Signed	1448
Sent to the Governor	1446

107—By Wilson of Clinton. To amend section two thousand five hundred fifty-one (2551) of the supplement of the code, relative to the protection of game.	
Introduced and referred....	184
Reported with amendment..	304
Amended and passed....	401, 402
House indefinitely postpones.	641
Passed on file.....	646, 647

108—By Bleakly. To legalize the action of the city council of LeMars, Iowa, in allowing certain sums of money to the volunteer fire department of said city; in allowing certain sums of money to the Grand Army Post and instructor for a band, and in allowing to the members of the council of said city a sum claimed to be in excess of that provided by law.	
Introduced and printed in Journal	184
Referred	185
Reported unfavorably	245
Indefinitely postponed	261

S. F.	Page.
109—By Peterson. To amend the law as it appears in chapter one (1), Title IX (9) of the code of 1897, relating to corporations for pecuniary profit.	
Introduced and referred....	185
Reported with amendment..	595
Amendment adopted	947
Passed	948
Passed House	1235
Passed on file.....	1243
Enrolled	1282, 1284
Signed	1278
Sent to the Governor.....	1286
Petition	592

110—By Taylor. Making an appropriation for the erection of a monument at the Mount Gilead Cemetery, Davis county, Iowa, to perpetuate the memory of Nathan Winton, and providing the method of such erection.	
Introduced and referred....	185
Reported unfavorably.....	1408
Indefinitely postponed	1408

111—By Gilliland (by requestt). Relating to the organization and officers of cities and towns, amending chapter two (2), Title V (5) of the code, and of the law as it appears in the supplement to the code.	
Introduced and referred....	185
Reported with amendments.	660
Amendments adopted	763, 764, 765
Made a special order.....	765
Amended and passed.....	833, 834
Title amended	834
Explanation of vote	835
Amended and passed House.	1010
Passed on file	1015
Senate concurs	1049, 1050
Enrolled	1115
Signed	1113
Sent to the Governor.....	1116

112—By Gilliland (by request). To amend section one thousand three hundred seventy-three (1373) of the code, relating to the correction of erroneous assessments.	
Introduced and referred....	185
Reported with amendments.	393
Amended and re-referred..	423, 424
Reported unfavorably.....	599
Indefinitely postponed	640

113—By Gilliland (by request). Relating to the board of public works in certain cities, repealing sections eight hundred sixty-three (863), and acts or parts of acts in so far as they conflict with this act shall not be applicable to any such cities.	
Introduced and referred.	185, 186
Reported	714
Indefinitely postponed..	1035, 1036

S. F.	Page.
114—By Gilliland (by request). Relating to the powers of local boards of health, amending section two thousand five hundred sixty-eight (2568) of the code.	
Introduced and referred....	186
Reported unfavorably	392
Indefinitely postponed	392
115—By Gilliland (by request). To provide for depositing funds of municipal corporations at interest.	
Introduced and referred....	186
Reported unfavorably	516
Indefinitely postponed	516
116—By Gilliland (by request). To amend paragraph three (3) of section eight hundred ninety-four (894) of the supplement to the code, relating to the levy of a tax for a sewer fund.	
Introduced and referred....	186
Reported with amendment..	443
Withdrawn	534
117—By Gilliland (by request). To amend section three thousand four hundred forty-seven (3447) of the code, relating to limitations of actions.	
Introduced and referred....	186
Reported unfavorably	392
Indefinitely postponed	392
118—By Saunders. To empower county agricultural societies to condemn and take private property for the use and accommodation of the public in attendance at fairs.	
Introduced and referred....	186
Reported unfavorably	290
Indefinitely postponed.....	308
119—By Frudden. To amend chapter fourteen (14) of Title V (5) of the code, relating to the management of waterworks in special charter cities, having a population of thirty-five thousand (35,000) or more, and all acts or parts of acts in so far as they conflict with this act shall not be applicable to any such cities.	
Introduced and referred....	186
Reported with amendments.	229
Amended and passed....	234, 235
*Amended and passed House	426
*Erroneously printed "House has passed".	
Passed on file.....	437
Senate concurs	441, 442
Enrolled	495
Signed	498
Sent to the Governor.....	496
120—By Frudden. To repeal chapter fifty-one (51) of the acts of the Twenty-	

S. F.	Page.
ninth General Assembly, relating to compensation of waterworks trustees in special charter cities having a population of thirty thousand (30,000) or more.	
Introduced and referred....	187
Substitute reported	227, 228
Substitute adopted and passed	234
Passed House	425
Passed on file.....	437
Enrolled	462, 463
Signed	472
Sent to the Governor.....	463
121—By Frudden. Providing that chapter eight (8) of Title VI (6) of the code, relating to removal of municipal officers, be made applicable to special charter cities.	
Introduced and referred....	187
Reported	228
Passed	233, 234
Passed House	349, 350
Passed on file.....	354
Enrolled	416, 417
Signed	434
Sent to the Governor.....	419
122—By Jamison of Clarke. To amend the law as it appears in section sixty-five (65) of the supplement to the code, and to amend sections eighty-eight (88), eighty-nine (89) and one hundred and sixteen (116) of the code, relating to the compensation of the secretary of the Governor, the deputy secretary of State, the deputy auditor of State and the deputy treasurer of State.	
Introduced and referred....	192
Reported unfavorably	1127
Indefinitely postponed	1128
123—By DeArmand. To repeal section four thousand nine hundred and sixty-nine (4969) of the code, providing for the punishment of cruelty to animals, and to enact a substitute therefor.	
Introduced and referred....	192
Reported with amendments.	392
Amended	447
Rereferred	448
Reported	515
Passed	548, 549
Passed House	1199
Passed on file	1214
Enrolled	1282, 1283
Signed	1278
Sent to the Governor.....	1285
124—By Wilson of Clinton. Making an appropriation for the erection of a monument in Elmwood Cemetery DeWitt, Iowa, in commemoration of memory of one John Lepper, and providing the method of such erection.	
Introduced and referred....	192, 193

S. F.	Page.	S. F.	Page.
125—By Allen. To require railroads to stop passenger trains when signalled to do so.		Introduced and referred....	201
Introduced and referred....	193	Reported unfavorably	396
Returned and referred to Sifting Committee	1378	Indefinitely postponed	396
126—By Gale. To amend section one thousand four hundred and fifty-seven (1457), Title VII (7), chapter three (3) of the supplement to the code.		133—By Dowell. Making an appropriation for the Industrial School for Girls.	
Introduced and referred....	193	Introduced and referred....	201
Reported unfavorably.....	347	134—By Peterson. Making an appropriation for the Industrial School for Boys.	
Indefinitely postponed.....	352	Introduced and referred....	201
127—By Warren. To amend chapter one (1), Title IX (9) of the code of 1897, relating to corporations for pecuniary profit and to provide a method for the approval of articles of incorporation.		135 By Stirton. Making an appropriation for the State Penitentiary at Anamosa.	
Introduced and referred....	200	Introduced and referred....	201
Substitute reported	477	136—By Whipple. To amend section fourteen (14) of chapter one hundred and sixty-six (166) of the laws of the Thirty-first General Assembly, relating to the sale of canned goods.	
Substitute adopted	547, 548	Introduced and referred....	201
Amended and passed.....	548	Reported	412
House indefinitely postpones	1353	Passed	448
Passed on file	1363	Amended and passed House.	826
128—By Jamison of Clarke. To amend section one thousand seven hundred and forty-three (1743) of the supplement to the code, relative to the removal of goods and merchandise covered by insurance.		Passed on file.....	849
Introduced and referred....	200	Senate concurs	1047, 1048
Reported with amendments.	476	Enrolled	1091, 1092
*Indefinitely postponed..	732, 733	Signed	1085
*Erroneously printed Senate File No. 28.		Sent to the Governor.....	1093
129—By Turner. Making an appropriation for the salary and expenses of state agents and other expenses incurred under chapter one hundred and eighty-one (181) of the acts of the Thirty-first General Assembly.		137—By Whipple. Making an appropriation for the College for the Blind at Vinton.	
Introduced and referred....	200	Introduced and referred....	201
Reported with amendment..	452	138—By DeArmand. Making an appropriation for the Iowa Soldiers' Orphans' Home.	
Indefinitely postponed	631	Introduced and referred.	201, 202
130—By Turner. Amendatory to section three hundred and ninety-three (393) of the code, relating to the administration of oaths.		139—By Saunders. Making an appropriation for the School for the Deaf at Council Bluffs.	
Introduced and referred.	200, 201	Introduced and referred....	202
Reported unfavorably	227	140—By Whipple (by request). Relating to the giving of bonds in relation to trust estates, and additional to chapter two (2), Title XVII (17) of the code of Iowa.	
Indefinitely postponed	260	Introduced and referred....	202
131—By Warren. Making an appropriation for the State Hospital for Inebriates at Knoxville.		Reported unfavorably	475
Introduced and referred....	201	Indefinitely postponed	475
132—By Kinne. To reimburse John F. Riggs, superintendent of public instruction, for sums paid out by him on account of the State Educational Board of Examiners.		141—By Whipple (by request). To repeal section five thousand four hundred and forty-eight (5448) of the code, and enact a substitute therefor, relating to appeals to the Supreme Court in criminal cases.	
		Introduced and referred....	202
		Reported unfavorably	475
		Indefinitely postponed	475
		142—By Whipple (by request). To amend section three hundred and sixty (360) of the code, relating to guaranty companies.	
		Introduced and referred....	202
		Reported unfavorably	474
		Indefinitely postponed	475

S. F.	Page.	S. F.	Page.
143—By Whipple (by request). To amend section three thousand three hundred and six (3306) of the code of Iowa, relating to non-resident executions.		152—By Gilliland. To repeal section twenty-eight hundred and fifty-five (2855) of the code supplement, and twenty-eight hundred and nine (2809) of the code, and to enact substitutes therefor, and to amend sections twenty-eight hundred and eight (2808) of the code supplement and twenty-eight hundred and fifty (2850) of the code, relative to the handling of the principal and interest of the permanent school fund.	
Introduced and referred....	202	Introduced and referred....	213
Reported unfavorably.....	475	Reported with amendment..	543
Indefinitely postponed.....	475	Amendment adopted....	651, 652
144—By Whipple (by request). To repeal section four thousand one hundred and ten (4110) of the code, and enact a substitute therefor, relating to appeals to the Supreme Court in civil cases.		Passed.....	652, 653
Introduced and referred....	202	Passed House.....	1352
Reported unfavorably.....	476	Passed on file.....	1362
Indefinitely postponed.....	476	Enrolled.....	1442, 1444
145—By Moon. To amend section one thousand six hundred and ten (1610) of the code, relative to the exemption of Farmers' Mutual Telephone Association from the payment of incorporation fee.		Signed.....	1448
Introduced and referred.202,	203	Sent to the Governor.....	1447
Reported unfavorably.....	830	153—By Seeley. Making an appropriation for the Mount Pleasant State Hospital.	
Indefinitely postponed.....	830	Introduced and referred....	213
146—By Moon. Amending section five thousand three hundred and fourteen (5314) of the code of Iowa of 1897 and providing for the compensation of attorneys appointed by the court to defend persons charged with certain crimes.		154—By Eckles. To amend the law as it appears in section twenty-six hundred and eight (2608) of the supplement to the code, relating to the Soldiers' Home at Marshalltown.	
Introduced and referred....	203	Introduced and referred....	213
Reported with amendments.....	215, 216	Reported.....	226
Amended.....	261	Passed.....	232, 233
Passed.....	270, 271	House indefinitely postpones	453
House indefinitely postpones	826	Passed on file.....	459, 460
Passed on file.....	849	155—By Allen. To amend the law as it appears in section thirty-four hundred and ninety-six (3496) of the code, limiting the place in which actions may be brought upon constructions.	
147—By Bleakly. Making an appropriation for the Cherokee State Hospital.		Introduced and referred....	213
Introduced and referred....	203	Reported with amendments.	587
148—By Dunham. Relating to the consideration of appealed criminal cases by the Supreme Court.		Amendments adopted.....	934
Introduced and referred....	203	Passed.....	935
Reported unfavorably.....	1220	House indefinitely postpones	1038
Indefinitely postponed.....	1220	Passed on file.....	1059
149—By Dunham. Making an appropriation for the Independence State Hospital.		156—By Allen. To amend chapter one hundred and eighty-six (186) of the laws of the Thirtieth General Assembly, relating to to meandered lake-beds, and enlarging the meaning of "a bona fide purchaser," under section seven (7) of said act.	
Introduced and referred....	203	Introduced and referred.213,	214
Reported unfavorably.....	1223	Reported unfavorably.....	396
Indefinitely postponed.....	1223	Indefinitely postponed.....	470
150—By Dunham. Relating to the reversal of appealed criminal cases by the Supreme Court.		157—By Wilson of Fayette. To repeal section twenty-five hundred and ninety-three (2593) of the code, and to enact a substitute therefor, relating to the practice of pharmacy.	
Introduced and referred....	203	Introduced and referred....	214
Reported unfavorably.....	1223		
Indefinitely postponed.....	1223		
151—By Jamieson of Page. Making an appropriation for the Clarinda State Hospital.			
Introduced and referred....	213		

S. F.	Page.
Reported with amendments.	471
Amended and passed.	505, 506
Amended and passed House.	924
Passed on file.	936, 937
Senate concurs	954, 955
Enrolled	1061, 1063
Signed	1068
Sent to the Governor.	1064
158—By Maytag. Making an additional appropriation to pay the remainder of the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, the Iowa Vicksburg Park Monument Commission and the Iowa Andersonville Prison Monument Commission, upon their joint visit to dedicate the monuments erected by the State of Iowa upon Southern battlefields and at Andersonville.	
Introduced and referred.	214
Reported	267
Passed	284, 285
Passed House	533
Passed on file.	538
Enrolled	555, 556
Signed	560
Sent to the Governor.	557
159—By Jamison of Clarke. To amend chapter six (6) of Title IX (9) of the code, relating to the distribution of dividends on stock in stock companies writing participating life insurance policies.	
Introduced and referred.	214
Reported and referred.	758, 759
Substitute reported	1022
Substitute adopted and passed	1183, 1184
Amended and passed House.	1484
Passed on file	1487
Senate refuses to concur.	1488
House recedes	1508
Passed on file.	1508
Enrolled	1519, 1521
Signed	1522
Sent to the Governor.	1522
160—By Warren. To amend the law as it appears in section one hundred and sixty-eight (168) and section twenty-six hundred and thirty-four-a (2634-a) of the supplement to the code, providing for furnishing the Educational Board of Examiners with supplies and printing and for the payment of the expenses of the Educational board of Examiners.	
Introduced and referred.	214
Substitute reported	581
Substitute adopted	679
Amended and passed.	679, 680
Passed House	1199
Passed on file.	1213, 1214
Enrolled	1281, 1283
Signed	1278
Sent to the Governor.	1285

S. F.	Page.
161—By McManus. Making an appropriation for the purchase of land, for a new cell house, for transportation of prisoners and for a contingent and repair fund for the State Penitentiary at Fort Madison.	
Introduced and referred.	224
162—By Saunders. To amend section three thousand nine hundred and fifty-five (3955) of the code, and to provide for the issuance of an execution when an outstanding execution is lost or destroyed.	
Introduced and referred.	224
Reported with amendment	246, 247
Amended and passed	249
Amended and passed House.	360
Passed on file.	364
Senate refuses to concur.	401
House insists	458
Passed on file.	460
Conference committee appointed	458, 460
House adopts report of conference committee and recedes from its amendment	1459
Passed on file.	1461
Report of conference committee	1462
Report adopted	1462, 1463
Enrolled	1514
Signed	1505
Sent to the Governor.	1515
163—By Turner. Amendatory to section two thousand nine hundred forty-two (2942) of the code, relating to acknowledgement of conveyances or incumbrances.	
Introduced and referred.	238
Reported unfavorably.	266
Indefinitely postponed.	283, 284
164—By Ericson. To amend the law as it appears in section three (3), chapter fourteen (14), acts of the Thirty-first General Assembly, granting township trustees power to contract for use of public libraries.	
Introduced and referred.	264
Reported	451
Passed	488, 489
Amended and passed House.	991
Passed on file.	1004
Senate concurs	1016, 1017
*Enrolled	1091, 1092
Signed	1085
*Sent to the Governor.	1093
*Erroneously printed Senate File No 184.	
165—By McManus. To amend section two thousand four hundred and fifty-six (2456) of the code, relating to the manufacture, transportation and sale of intoxicating liquors.	
Introduced and referred.	238
Reported	471
Considered	664
Lost on passage	665

S. F.	Page.	S. F.	Page.
166—By Stookey. To amend the law as it appears in section one thousand five hundred and thirty (1530) of the supplement to the code, by removing the semi-colon after the word "council" in the twelfth line and by inserting after said word "council" and the county treasurer shall pay to the city or town treasurer said fund."		or individual, which said statements or publications are intended to give, or shall have a tenancy to give, a less or greater apparent value to the shares, bonds or property or any part thereof of said corporation, joint stock association, co-partnership or individual than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor.	
Introduced and referred....	254	Introduced and referred....	255
Reported with amendments.	713	Substitute reported.....	397
Amendments adopted.....973,	974	Substitute adopted and passed.....	433, 434
Substitute offered.....	974	Passed House.....	893
Substitute amended.....	1063	Passed on file.....	912
Lost on passage.....	1069	Enrolled.....	941, 943
167—By McManus. To make chapter forty-eight (48) of the acts of the twenty-eighth General Assembly in relation to the keeping of a record of delinquent taxes applicable to cities acting under special charter.		Signed.....	938
Introduced and referred....	254	Sent to the Governor.....	945
Substitute reported.....	713	172—By Gilliland. Making an appropriation for the Institution for Feeble-Minded Children at Glenwood.	
Substitute adopted.....974,	975	Introduced and referred....	255
Passed.....	975	173—By Eckles. Making an appropriation for the Iowa Soldiers' Home.	
House indefinitely postpones	1354	Introduced and referred....	264
Passed on file.....	1364	174—By Taylor. To repeal section twenty-nine hundred and thirty-four (2934) of the code, and to enact a substitute therefor, in relation to filing, indexing and recording deeds and other instruments unconditionally conveying real estate.	
168—By McManus. Providing for purchase and erection of a monument in memory of the Indian Chief Black Hawk and at the point of the first military post in the State of Iowa, and making an appropriation therefor.		Introduced and referred....	264
Introduced and referred.254,	255	Reported unfavorably.....	307
Reported unfavorably.....	1408	Indefinitely postponed.....	351
Indefinitely postponed.....	1408	175—By Jamieson of Page. To amend the law as it appears in section two hundred and fifty-five (255) of the supplement to the code, relating to Superior Courts.	
169—By Crossley. Relating to State documents and publications, and amending section one (1), chapter five (5) of the acts of the Thirtieth General Assembly of the State of Iowa.		Introduced and referred....	264
Introduced and referred....	255	Reported.....	393
Reported with amendments.	305	Passed.....	573, 574
Amended and passed...352,	353	Amended and passed House.	694
Passed House.....	681	Senate concurs.....	703
Passed on file.....	690	Enrolled.....	718
Enrolled.....	767, 768	Signed.....	718
Signed.....	770	Sent to the Governor.....	718
Sent to the Governor.....	769	176—By Gilliland. Establishing an Agricultural and Manual training school, providing for the management, control and operation thereof, creating a board of trustees therefor, establishing courses of study therein, and making appropriations for the creation and support thereof.	
Veto by governor.....	848	Introduced and referred....	264
170—By Hughes. To prohibit the trapping, shooting or killing of quails.			
Introduced and referred....	255		
Reported unfavorably....	304		
Indefinitely postponed....	305		
171—By Saunders. To prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of any corporation, joint stock association, co-partnership			

S. F.	Page.
177—By Seeley. To amend section three (3), chapter one hundred and eighty-five (185) of the acts of the Thirty-first General Assembly, relative to increasing the agricultural extension work and making an annual appropriation therefor.	
Introduced and referred....	277
178—By DeWolf. To prevent the adulteration and misbranding of drugs; and repealing sections four thousand nine hundred and eighty-three, (4983), four thousand nine hundred and eighty-five (4985), four thousand nine hundred and eighty-six (4986) and five thousand nine hundred and eighty-eight (5988); and vesting the execution and enforcement of this act in the State Food and Dairy Commissioner.	
Introduced and referred....	278
Returned and referred to Sifting Committee	1265
179—By Stookey. To amend the law as it appears in section four hundred and forty-one (441) of the supplement to the code, by adding thereto and further providing who shall be considered a "bona fide yearly subscriber" in the event of a contest.	
Introduced and referred....	278
Reported	571
Amended	707
Considered	708
Passed	709
Title amended	709
House indefinitely postponed	804
Passed on file	814
180—By Kimmel. To amend chapter ninety-eight (98) of the laws of the Thirty-first General Assembly, relative to the registration and publication of pedigrees.	
Introduced and referred....	288
Reported and referred....	560
Reported unfavorably	1232
Indefinitely postponed	1232
181—By Dunham. To amend chapter eleven (11) of the laws of the Thirtieth General Assembly, entitled "An act enlarging the powers of the district court, and to regulate the treatment and control of dependent, neglected and delinquent children. (Additional to chapter five (5) of Title III (3) of the code, relating to the district court)."	
Introduced and referred....	288
Reported with amendment..	367
Amended and passed....	371, 372

S. F.	Page.
Title amended	372
Amended and passed House..	392
Passed on file.....	911
Senate concurs	953, 954
Enrolled	1061, 1063
Signed	1068
Sent to the Governor.....	1064
182—By Ericson. Providing for the inside finishing and completion of the Historical, Memorial and Art building, and making an appropriation therefor.	
Introduced and referred....	288
Substitute reported	1249
Substitute adopted	1327, 1328
Passed	1328
Passed House	1500
Passed on file.....	1501
Enrolled	1518, 1520
Signed	1522
Sent to the Governor.....	1521
183—By Seeley. Providing for placing a statue in bronze of James Harlan, ex-Senator of Iowa, in the National Statuary Hall in the Capitol building of Washington, D. C., and appropriating money to pay therefor.	
Introduced and referred.....	289
Reported	760
Passed	785, 786
Passed House	803
Passed on file.....	814
Enrolled	841
Signed	844
Sent to the Governor.....	842
184—By Hughes. To amend section one thousand eight hundred and seventy-three (1873) of the code, relating to publication of reports of banks.	
Introduced and referred....	289
Reported with amendment..	390
Amended and passed....	434, 435
Passed House	585
Passed on file.....	589
Enrolled	632
Signed	634
Sent to the governor.....	633
185—By Dowell. To amend section three thousand six hundred and fifty-six (3656) of the code, relating to the appearance term for certain actions.	
Introduced and placed on calendar	289
Passed	297, 298
Passed House	425
Passed on file.....	437
Enrolled	462, 463
Signed	472
Sent to the Governor.....	463
186—By DeArmand (by request). To repeal section three hundred and thirty-four (334) of the code, relating to excusing persons from jury service and to enact a substitute therefor.	
Introduced and referred....	289
Reported unfavorably	306, 307
Indefinitely postponed.....	351

S. F.	Page.
187—By Taylor. To amend section one thousand three hundred and four (1304) of the code, relating to property exempt from taxation.	
Introduced and referred....	289
Reported unfavorably	461
Indefinitely postponed	461
188—By Gilliland. For the regulation and taxation of persons who shall maintain an office or place of business where intoxicating liquors are held in store and the purchase price thereof collected for the owner from the person to whom they have been conditionally sold.	
Introduced and referred....	289
189—By Gilliland. To regulate and tax persons taking orders for intoxicating liquors to be delivered in the future.	
Introduced and referred.	289, 290
Reported and rereferred...	561
Reported unfavorably	916
Indefinitely postponed	979
190—By Seeley. To amend section four hundred and sixty-nine (469) of the code, relative to the compensation of board of supervisors when doing committee service.	
Introduced and referred....	300
Reported unfavorably	525
Indefinitely postponed.....	525
191—By Crossley. Providing for the listing and taxing of mortgages and other liens upon real estate, and mortgaged real estate.	
Introduced and referred....	300
Reported unfavorably	906
192—By Moon. To amend section seven hundred and sixty-eight (768) of the code, relating to vestibules on street cars for the protection of employes operating such cars.	
Introduced and referred....	300
Reported	442
Amended and passed...470,	471
Passed House	803
Passed on file.....	814
Enrolled	840, 841
Signed	844
Sent to the Governor.....	842
193—By DeWolf. Providing for the inspection of steam boilers, generators, superheaters, and creating the office of State Boiler Inspector, defining his duties thereunder and providing penalties for violation thereof.	
Introduced and referred....	301
Reported unfavorably	731
Indefinitely postponed	1000

S. F.	Page.
194—By Gilliland. Authorizing cities of the first class to levy taxes for the purpose of paying for building and construction of bridges, and for the issuance of bonds or certificates against such levies.	
Introduced and referred.	300, 301
Reported with amendment..	584
Amendment adopted	719
Consideration deferred	719
Passed	742
Passed House	1083
Passed on file.....	1094
Enrolled	1155, 1156
Signed	1155
Sent to the Governor.....	1158
195—By Bruce. Amendatory of and additional to Section 912 of the Code in relation to the issuance of certificates or bonds in anticipation of special taxes by towns.	
Introduced and referred....	301
Reported	347
Amended	351
Passed	352
Passed House	585
Passed on file.....	589
Enrolled	632
Signed	634
Sent to the Governor.....	633
196—By DeWolf. To regulate the sale or disposal of stocks of goods, wares or merchandise in bulk, and to provide a penalty for the violation thereof.	
Introduced and referred....	301
Reported	524
Made a special order.....	590
Considered	681, 682, 683
Amended	685
Passed	686
Motion to reconsider filed..	715
House fails to pass.....	1275
Passed on file.....	1294
Petitions	440, 492
197—By Kimmel. To provide for the manufacture of binding twine in state prisons of Iowa.	
Introduced and referred....	346
Reported unfavorably	684
Indefinitely postponed	684
198—By Saunders. To amend section one (1), chapter twenty-one (21) of the acts of the Thirtieth General Assembly of the State of Iowa, relating to the compensation of county recorders, and to amend section four hundred and ninety-six (496) of the code, relating to the compensation of deputy county recorders.	
Introduced and referred....	346
Reported with amendments.	800
Amendments adopted..1027,	1028
Passed	1028, 1029
Amended and passed House.	1353
Passed on file.....	1363
Senate refuses to concur	1375, 1376

S. F.	Page.
Motion to reconsider filed...	1381
Reconsidered	1416
Senate fails to concur.....	1417
House insists	1449
Conference committee appointed	1449, 1454
House adopts report of conference committee	1467
Passed on file.....	1474
Report of conference committee	1474
Senate adopts report.....	1475
Enrolled	1513, 1514
Signed	1505
Sent to the Governor.....	1515

199—By Saunders. To amend chapter sixty-three (63), laws of the Thirty-first General Assembly, pertaining to the use of wide wagon tires.
 Introduced and referred.... 346
 Reported unfavorably 824
 Indefinitely postponed 824

200—By Wilson of Fayette. To repeal section one thousand one hundred and sixty-four (1164) of the code, in relation to recording abstracts of votes in the office of the Secretary of State, and to enact a substitute therefor.
 Introduced and referred... 346
 Reported unfavorably 696
 Indefinitely postponed 696

201—By Bruce. To repeal the law as it appears in section one thousand three hundred and forty-seven-a (1347-a) of the supplement to the code and chapter forty-eight (48), acts of the Thirtieth General Assembly, relating to the vocation of peddlers, defining the term peddlers, so as to include transient merchants and itinerant vendors selling by sample or by taking orders for immediate or future delivery, and to enact a substitute therefor.
 Introduced and referred... 346
 Substitute reported 697
 Substitute adopted 745, 746
 Amended and passed 746, 747
 Amended and passed House 923
 Passed on file..... 937
 Senate concurs 952, 953
 Motion to reconsider filed. 958
 Reconsidered

1146
 Senate refuses to concur in one House amendment... 1147
 House recedes

202—By Jamieson of Page. To repeal sections two thousand one hundred and fifty-three (2153) and two thousand one hun-

S. F.	Page.
dred and fifty-five (2155) of the code, relating to joint freight rates over two or more connecting lines of railway between points within this state, and to enact a substitute therefor.	
Introduced and referred....	358
Substitute reported.....	699
Rereferred	733
Substitute reported.....	756
Indefinitely postponed	1042, 1043

203—By Ericson. Requiring all corporations doing business within the state to make an annual report and pay an annual license fee to the Secretary of State.
 Introduced and referred.. 358
 Reported with amendments. 460
 Made special order..... 619
 Amendments adopted..... 704
 Amended

704
 Rereferred 705
 Substitute reported..... 828
 Consideration postponed... 1116
 Substitute not adopted... 1121
 Amended 1122, 1123, 1124, 1125
 Passed

1125
 House indefinitely postpones 1467
 Passed on file..... 1485, 1486
 Petition

204—By Newberry. To amend the law as it appears in section two thousand five hundred and ninety-six-a (2596-a) of the supplement to the code, in relation to the sale of cocaine; and restricting the sale of certain other drugs.
 Introduced and referred. 358 359
 Reported

471
 Amended and passed... 655, 656
 Passed House..... 1199 1200
 Passed on file..... 1214
 Enrolled

1282, 1283
 Signed

1278
 Sent to the Governor..... 1285

205—By Peterson. Providing for special assessments for sidewalk and street improvements in cities and towns upon the right of way of any railroad company fronting or abutting upon a street, highway, avenue, alley, public ground, wharf, landing or market place the same as upon any land or lot therein and providing for the collection thereof.
 Introduced and referred.... 359
 Reported

376
 Passed

463 464
 Passed House..... 923
 Passed on file..... 937
 Enrolled

1006, 1007
 Signed

1013, 1474
 Sent to the Governor..... 1007

S. F.	Page.	S. F.	Page.
206—By Peterson. To amend sections two (2), four (4) and five (5) of chapter fifty-three (53) of the acts of the Thirtieth General Assembly, in regard to motor vehicles.		212—By Dowell. To provide for the government of certain cities (amending Title V (5) of the code).	
Introduced and referred...	359	Introduced and referred...	363
Reported with amendments.	423	Reported with amendments.	728
Amendments adopted.....	605	Amendments adopted.	859, 860
Passed	605	861, 862, 863	
Passed House.....	694	Consideration deferred.....	863
Passed on file.....	702	Amended	868 869 870
Enrolled	767, 768	Amended	872, 873
Signed	770	Passed	873
Sent to the Governor.....	769	Explanation of vote.....	873
		Amended and passed House	1037
		Passed on file.....	1058
		Senate concurs	1059-1061
		Enrolled	1115
		Signed	1113
		Sent to the Governor.....	1116
207—By Stookey. To empower the State Educational Board of Examiners to issue state certificates and state diplomas to graduates of higher institutions of learning.		213—By Dowell. Entitled "an act to provide for a public school teachers' retirement fund in school districts having a population of over ten thousand (10,000) inhabitants."	
Introduced and referred...	359	Introduced and referred...	363
Reported with amendments.	525	Reported unfavorably.....	1217
Amendments adopted...628, 629		Indefinitely postponed.....	1217
Amended and passed.....	629, 630		
Passed House.....	1352		
Passed on file.....	1362, 1363		
Enrolled	1442, 1444		
Signed	1448		
Sent to the Governor.....	1447		
Petition	540		
208—By Lambert. To amend section thirty-six (36) of the code, relative to the publication of acts of the General Assembly.		214—By Dowell. Relating to certain powers to be exercised by the stockholders and directors of railway and other public service corporations heretofore or hereafter organized under the laws of this state, and defining quorums at their meetings, being an act amendatory to chapter one (1), Title IX (9) of the code.	
Introduced and referred...	363	Introduced and referred	363, 364
Reported	394	Returned and referred to sifting committee.....	1378
Passed	433		
Passed House.....	642		
Passed on file.....	647		
Enrolled	678		
Signed	680		
Sent to the Governor.....	679		
209—By Hughes. Making appropriations for the State University of Iowa.		215—By Jackson. To amend the law as it appears in sections six hundred and seventy-nine-a (679-a), six hundred and seventy-nine-F (679-F), six hundred and seventy-nine-G (679-G) and six hundred and seventy-nine-h (679-h) of the supplement to the code, relating to Board of Police and Fire Commissioners in certain cities of the first class, and providing for the taking effect thereof.	
Introduced and referred...	363	Introduced and referred...	375
Reported unfavorably.....	503	Reported with amendments.	516
Indefinitely postponed.....	503	Amendments adopted.	531, 532
		First amendment reconsidered and substitute adopted	532
		Amended	533
		Consideration deferred.....	533
		Amended and passed.	574, 575
		Amended and passed House	924
		Passed on file.....	937
		Senate concurs.....	961, 962
		Enrolled	1156, 1157
		Signed	1155
		Sent to the Governor.....	1158
210—By Hughes. 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, relative to the safeguarding of machinery.			
Introduced and referred...	363		
Reported unfavorably.....	503		
Indefinitely postponed.....	503		
211—By Hughes. 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.			
Introduced and referred...	363		
Reported unfavorably.....	1233		
Indefinitely postponed.....	1233		

S. F.	Page.
216—By Bruce. Regulating fraternal beneficiary societies, orders or associations, establishing a standard mortality table therefor, requiring adequate rates with an annual accounting and distribution, providing for valuation of certificates, designating plans of insurance and beneficiaries, and declaring any contract in conflict herewith void.	
Introduced and referred...	375
Reported unfavorably.....	635
Indefinitely postponed.....	765
217—By Stuckslager. Making appropriations to the State Historical Society of Iowa.	
Introduced and referred...	375
Reported unfavorably.....	760
Indefinitely postponed.....	760
218—By Nichols. To amend section twenty-seven hundred and eighty (2780) of the code, relative to the compensation of school officers.	
Introduced and referred...	389
Reported unfavorably.....	616
Indefinitely postponed.....	616
219—By Jackson. Authorizing the Executive Council to build walks and steps and make necessary repairs around the Capitol building and making appropriation therefor.	
Introduced and referred...	389
Reported with amendment.	595
Indefinitely postponed.....	738
220—By Committee on Appropriations. Making an appropriation for the benefit of the State Hospital at Mount Pleasant.	
Introduced and placed on calendar	389
Passed	448, 449
Passed House	533, 534
Passed on file.....	538
Enrolled	556
Signed	560
Sent to the Governor.....	557
221—By Clark. To repeal sections three hundred and ninety-eight (398) and four hundred (400) of the code, in reference to the relocation of county seats, and to enact substitutes therefor.	
Introduced and referred....	389
Reported unfavorably	494
Indefinitely postponed	494
222—By Gale. To amend section four hundred and thirty-three (433), Title IV (4), chapter two (2), laws of the Thirtieth General Assembly, fixing the amount supervisors may	

S. F.	Page.
allow for the burial of deceased soldiers.	
Introduced and referred....	389
Reported and rereferred....	442
Reported with amendments.	494
Amendments adopted	606
Passed	606
House indefinitely postpones	1310
Passed on file.....	1330
223—By Dunham. Additional to and amendatory of the law as it appears in chapter six (6) of Title XII (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.	
Introduced and referred.....	389, 390
Reported	517
Rereferred	565
Reported with amendments without recommendation..	705
Made special order.....	775
Amendment adopted	835, 836
Consideration deferred	836
Lost on passage.....	843, 844
224—By Committee on Appropriations. Making an appropriation to enable the State Railroad Commission to make an investigation of railway freight rates.	
Introduced and placed on calendar	390
Passed	467, 468
Passed House	610
Passed on file.....	613
Enrolled	678
Signed	680
Sent to the Governor.....	679
225—By Dunham. Repealing section twenty-eight hundred and eighty-one (2881) of the code, chapter one hundred and fifteen (115), of the acts of the Twenty-eighth General Assembly, and section six (6) of chapter one hundred and fourteen (114) of the acts of the Twenty-eighth General Assembly, relating to employes in the State Library; fixing their salaries and providing for their bonds, and enacting a substitute therefor.	
Introduced and referred...	390
Substitute reported	951
Returned to Senate by appropriation committee....	1439
226—By DeWolf. To reimburse S. B. Humbert for services rendered as superintendent of construction of the monuments at Lookout Mountain and one at either end of Missionary Ridge and to make an appropriation therefor.	
Introduced and referred....	390

S. F.	Page.
Reported and rereferred.....	595, 596
Reported	684
Passed	1085, 1086
Passed House	1393
Passed on file.....	1402
Enrolled	1469, 1470
Signed	1468
Sent to the Governor	1474
227—By Gilliland. To prohibit the discharge into the open air of dense smoke within the corporate limits of cities which now have or may hereafter have a population of fifty thousand (50,000) inhabitants; to declare the discharge into the open air of dense smoke within the corporate limits of such cities a public nuisance, and to provide penalties for the violation and enforcement thereof.	
Introduced and referred....	408
Reported with amendments	659, 660
Amendments adopted	775, 776
Passed	776
Amended and passed House.	1440
Passed on file.....	1448
Passed Senate	1450, 1451
Enrolled	1506
Signed	1505
Sent to the Governor.....	1507
228—By Ericson. Authorizing the board of trustees of free public libraries to unite with any local county historical association for the preservation and protection of articles of a historical or educational nature gathered by such association and to expend money for the proper care of such collection.	
Introduced and referred....	408
Reported	450
Passed	535
Passed House	991
Passed on file.....	1004
Enrolled	1062, 1063
Signed	1068
Sent to the Governor.....	1064
229—By Elerick. Requiring the Board of Railroad Commissioners to establish and put in effect certain freight rates under certain conditions.	
Introduced and referred....	408
Reported unfavorably	755
Indefinitely postponed	755
230—By Newberry. To require a stamp or label on every ball of binder twine sold, exposed or offered for sale within this state, and providing a penalty for the violation thereof.	
Introduced and referred....	408
Substitute reported	528
Substitute adopted and amended	676

S. F.	Page.
Passed	676, 677
Passed House	1257
Passed on file.....	1271
Enrolled	1301, 1302
Signed	1301
Sent to the Governor.....	1303
231—By Peterson. To amend section three thousand eight hundred and fifty-three (3853) of the code, relating to the recovery of costs by the successful against the losing party.	
Introduced and referred....	408, 409
Reported with amendment..	509
Amendment adopted	928
Passed	928
Passed House	1140
Passed on file.....	1176
Enrolled	1206, 1207
Signed	1215
Sent to the Governor.....	1208
232—By McManus. To regulate and fix a place of bringing action against municipal corporations in the State of Iowa in all counties where terms of the district court are held in more than one place.	
Introduced and referred ..	409
Reported with amendment..	516
Considered	623
Consideration deferred	624
Indefinitely postponed	625
233—By Stirton. To amend the law as it appears in section five thousand seven hundred and two-a (5702-a) of the supplement to the code, relating to the manufacture of pearl buttons or butter tubs in the penitentiaries of the state.	
Introduced and referred....	409
Reported unfavorably	1233
Indefinitely postponed	1234
234—By Elerick. To authorize the reconsignment without charge to a new destination of property forwarded by a common carrier and to provide for the treatment of the same as an original shipment.	
Introduced and referred....	409
Reported with amendment..	754
Amendment adopted	908
Passed	908, 909
Passed House	1072
Passed on file.....	1074
Enrolled	1155, 1156
Signed	1155
Sent to the Governor.....	1158
235—By DeWolf. For the protection of trainmen and to regulate the stringing of wires, electric or other, over railroad tracks, and relative to the maintenance of such wires heretofore so strung.	
Introduced and referred....	409
Substitute reported	830
Substitute adopted	965

S. F.	Page.
Passed	966
Passed House	1294
Passed on file	1307
Enrolled	1399, 1400
Signed	1397
Sent to the Governor	1400
236—By DeWolf. Defining the relations between employer and employe with respect to assumption of risk and providing what shall constitute notice thereof.	
Introduced and referred....	409
Substitute reported	600
Substitute adopted and passed	734
*Amended and passed House	924
*Erroneously printed "House has passed"	
Passed on file	937
Senate concurs	987, 988
Enrolled	1062, 1063
Signed	1068
Sent to the Governor	1064
Petition	749
237—By Whiting. Providing for scales and the weighing of commodities transported in carload lots, furnishing certificates of weight by common carriers and providing penalties for the violation of this act, in addition to chapter seven (7), Title X (10) of the code.	
Introduced and referred....	409, 410
Substitute reported	884
Substitute adopted	998
Passed	999
Amended and passed House.	1198
Passed on file	1213
Senate concurs	1292, 1293
Enrolled	1399, 1400
Signed	1397
Sent to the Governor	1401
238—By Smith of Des Moines. Requiring any person, firm or corporation engaged in the business of making abstracts of title to furnish bond and providing punishment for making abstracts without filing such bond.	
Introduced and referred....	440
Reported unfavorably	494
Indefinitely postponed	604, 605
239—By Wade. Amending section one thousand three hundred thirty-three (1333) of the code supplement, in relation to taxes paid by insurance companies other than those organized under the laws of the State of Iowa.	
Introduced and referred....	440
Reported and rereferred....	572
Substitute reported	727
Substitute adopted	784
Passed	785
Passed House	1257
Passed on file	1271
Enrolled	1302
Signed	1301
Sent to the Governor	1303

S. F.	Page.
240—By Stuckslager. To amend chapter one hundred and thirty-two (132) of the laws of the Thirtieth General Assembly of Iowa, entitled "An act prohibiting the willful taking of any electric current, gas or water from the wires, motors, pipes or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud. (Additional to chapter five (5), Title XXIV (24) of the code) by making it applicable to steam heating plants and the taking of steam or steam heat.	
Introduced and referred....	440
Reported	476
Passed	649
Passed House	991, 992
Passed on file	1004
Enrolled	1062, 1063
Signed	1068
Sent to the Governor	1064
241—By Smith of Mitchell. To amend section one (1) of chapter eighty-nine (89) of the laws of the Thirty-first General Assembly, relating to actions against joint carriers.	
Introduced and referred....	440
Reported	1101
Passed	1339
Passed House	1501
Passed on file	1501
Enrolled	1518, 1520
Signed	1522
Sent to the Governor	1521
242—By Dunham. To create a commission to examine, revise and codify the laws relating to the public schools, and such other purposes as may be incident thereto.	
Introduced and referred....	441
Reported with amendments.	1113
Rereferred	1114
Reported	1250
Amendments adopted.	1251, 1252
Passed	1252, 1253
Passed House	1418
Passed on file	1419
Enrolled	1469, 1470
Signed	1468
Sent to the Governor	1474
243—By Dunham. To amend the law as it appears in section one thousand six hundred and ten (1610) of the supplement to the code, relating to "Articles of Incorporation and Incorporation Fees."	
Introduced and referred....	441
Reported unfavorably	543
Indefinitely postponed	928, 929
244—By Stookey. Authorizing persons, firms or corporations engaged in the business of storing goods for profit, to issue ware-	

S. F.	Page.	S. F.	Page.
house receipts on the goods so stored; to regulate the issuance, negotiation and transfer of such receipts, and to provide punishment for violation of said regulations.		249—By Gilliland. To amend section nine hundred and fifty-five (955) of the code, relating to the establishment, erection, purchase, lease, maintenance or operation of certain public utilities and the granting of franchises for the same, so as to include heating plants.	
Introduced and referred....	457	Introduced and referred....	474
Reported	814	Reported	515
Made a special order.....	835	Passed	608, 609
Amended		Passed House	893
.....899, 900, 901, 902,	903	Passed on file.....	911
Passed	903	Enrolled	940, 942
Title amended	904	Signed	938
Passed House	1091	Sent to the Governor.....	944
Passed on file.....	1095		
Enrolled	1156, 1157	250—By Warren. Providing for the inspection of steam boilers; for safety appliances to be used on such boilers; for the appointment and compensation of boiler inspectors, the enforcement of the provisions of this act, and fixing penalties for the violation thereof.	
Signed	1155	Introduced and referred....	474
Sent to the Governor.....	1158	Reported with amendments.	730
		Rereferred	731
245—By Turner. Directing the custodian of public buildings and property to prepare a case for the reception of flags carried by Iowa regiments during the Spanish-American war, and making appropriation therefor.		Reported unfavorably	802
Introduced and referred....	457	Indefinitely postponed	802
Reported	525		
Passed	735, 736	251—By Ericson. To acquire for the state, either by purchase or condemnation, any lot or lots in blocks three (3), four (4), six (6), H. Lyons' addition, and blocks five (5), six (6) and seven (7), Scott's addition, all now forming a part of the city of Des Moines, Polk county, Iowa, and to make an appropriation therefor.	
Passed House	892	Introduced and referred....	492
Passed on file.....	911	Reported unfavorably	887
Enrolled	941, 943	Indefinitely postponed	887
Signed	938		
Sent to the Governor.....	944	252—By Jamison of Clarke. To pay the expenses of J. W. Cliff in his contest for the office of Secretary of the Senate of the Twenty-fourth General Assembly.	
		Introduced and referred....	502
246—By Wilson of Clinton. To secure the payment of the claims of material, men, merchants or laborers employed by contractors upon state, municipal or other public work.		Reported and rereferred....	800
Introduced and referred....	457	Substitute reported	970
Reported unfavorably	1222	Substitute adopted	1039
Indefinitely postponed	1223	Passed	1039, 1040
		Passed House	1352
247—By Warren. To create and establish a department of domestic science in the Institution for the Deaf at Council Bluffs.		Passed on file.....	1363
Introduced and referred....	474	Enrolled	1441, 1443
Reported unfavorably	1024	Signed	1448
		Sent to the Governor.....	1446
248—By Smith of Mitchell. To amend sections one hundred and fifty-six (156) and one hundred and fifty-seven (157) of the code, relating to the election and duties of the Secretary of the Executive Council and defining the duties of said Secretary, and to amend sections one thousand three hundred and seventy-eight (1378) and one thousand three hundred and eighty-two (1382) of the code.		253—By Ericson. Making appropriations to the Iowa State College of Agriculture and Mechanic Arts.	
Introduced and referred....	474	Introduced and referred....	502
Reported	691		
Passed	766		
House indefinitely postpones	1353		
Passed on file.....	1363		

S. F.	Page.
254—By Dunham. To amend chapter one hundred and twenty (120), laws of the Thirty-first General Assembly, relating to the State Sanatorium at Iowa City, further defining the duties of the board of control regarding tuberculosis, and making additional appropriations.	
Introduced and referred....	502
255—By Dunham. To repeal sections three hundred and seventy-three (373), three hundred and seventy-four (374), three hundred and seventy-five (375) and three hundred and seventy-six (376) of the code, in relation to notaries public and enact substitutes therefor; also to amend section sixty-eight (68) of the code, in relation to the registration of commissions.	
Introduced and referred....	502
Reported	692
Made special order.....775,	1017
256—By Dunham. To transfer the duties, powers and authority granted to or enjoined upon the Auditor of State under the provisions of chapter thirty-four (34), acts of the Thirty-first General Assembly, relating to publication of municipal accounts, establishing uniform system of accounts, reports and audits in cities and towns from the Auditor of State to the Secretary of State.	
Introduced and referred....	502
Reported with amendments	692
Made a special order...775,	1017
257—By Dunham. To transfer from the Auditor of State to the Treasurer of State all of the powers, duties and responsibility relating to state and savings banks and loan and trust companies.	
Introduced and referred....	503
Reported with amendment.	693
Made a special order...775,	1017
258—By Allen. To amend section five thousand seven hundred and eight (5708) of the code, relating to the disposal of stone at Anamosa for the improvement and macadamizing of streets and highways.	
Introduced and referred....	513
Reported unfavorably	648
Indefinitely postponed	773
259—By Allen. Legalizing the ordinances, acts, proceedings and resolutions passed by the town council of Pocahontas, of Pocahontas county, Iowa, and	

S. F.	Page.
legalizing all the acts, proceedings and resolutions adopted or passed by the the said town council in connection with the voting and granting of a franchise to the Havelock Mutual Telephone Company, as set forth in Ordinance No. Forty-one (41) of said town.	
Introduced and referred.513,	514
Reported	671
Passed	773
House indefinitely postpones.	891
Passed on file.....	910
260—By Allen. To provide for the meetings of the State Poultry Association, to define and designate the officers thereof, to provide for the organization of district and county associations, the making of annual reports, and statements of the proceedings of the association, the printing and distribution of copies of the reports and making annual appropriations therefor.	
Introduced and referred....	514
Reported and referred....	603
Reported unfavorably	1096
261—By Bleakly. To amend Senate File No. 22, as passed by the Thirty-second General Assembly, February 5, 1907, and approved February 14, 1907, providing for the investment of funds of fraternal beneficiary societies, orders or associations.	
Introduced and referred....	514
Reported	307
Passed	717, 718
Passed House	892
Passed on file.....	911
Enrolled	940, 942
Signed	938
Sent to the Governor.....	941
262—By Gilliland. To provide for sewer outlets and purifying plants in cities of the second class and towns.	
Introduced and referred....	514
Reported	584
Passed	743
Amended and passed House.	827
Passed on file.....	849
Senate concurs	909, 910
Enrolled	941, 943
Signed	938
Sent to the Governor.....	945
263—By Kinne. To make the county treasurer the custodian of the funds belonging to the school corporations within the county and to abolish the office of the school treasurer.	
Introduced and referred...	514,
.....	515
Reported unfavorably.....	696
Indefinitely postponed	697

S. F.	Page.	S. F.	Page.
264—By Kinne. Making an appropriation for the construction of a dam and fish-way at the outlet of Silver Lake, Dickinson county, Iowa.		271—By DeArmand. To amend section two (2), chapter one hundred and forty (140), laws of the thirty-first General Assembly, relating to the issuing of school funding bonds.	
Introduced and referred....	523	Introduced and referred....	542
Reported unfavorably	845	Substitute reported	918
Indefinitely postponed	845	Substitute adopted	993, 994
265—By Maytag. To amend the law as it appears in section two (2), chapter one hundred and forty (140), laws of the Thirty-first General Assembly, relating to the funding of school district bonds.		Passed	994
Introduced and referred....	523	Amended and passed House	1141
Reported and rereferred....	567	Passed on file	1177
Reported unfavorably	1074	Senate concurs	1240
Indefinitely postponed	1075	Enrolled	1282, 1284
266—By Taylor. Making an appropriation for the erection of a monument at the Drakesville cemetery, Davis county, Iowa, to perpetuate the memory of Isaac Mason, a soldier of the Revolutionary war, and providing for the method of such erection.		Signed	1278
Introduced and referred....	523	Sent to the Governor....	1286
Reported unfavorably	1408	272—By Dunham. Additional to and amendatory of the law as it appears in Title XIV (14) of the code, relative to rights of property and the conveyance thereof.	
Indefinitely postponed	1408	Introduced and referred ...	542
267—By Dowell. To permit fraternal beneficiary societies, orders or associations to acquire and own real estate for their own use.		Reported	599
Introduced and referred....	523	Amended and passed	948, 949
Reported with amendments. .	647	Passed House	1354
Amendments adopted	752, 753	Passed on file	1364
Passed	753	Enrolled	1442, 1444
Passed House	1200	Signed	1448
Passed on file	1214	Sent to the Governor....	1447
Enrolled	1283, 1284	273—By Turner. To repeal section one thousand five hundred and thirty-three (1533) of the supplement to the code, and chapter fifty-seven (57) of the acts of the Thirty-first General Assembly, and enact a substitute therefor, relating to the duties of township trustees.	
Signed	1278	Introduced and referred ...	542
Sent to the Governor....	1286	Reported unfavorably	856
268—By Dunham. To indemnify D. H. Piester for personal injury sustained by him while employed at the Hospital for the Insane at Independence, Iowa.		Indefinitely postponed	856
Introduced and referred....	523	274—By Crossley. To legalize the plat of W. O. Lee's addition to Macksburg, Iowa.	
Returned and referred to Sifting Committee.....	1434	Introduced and referred ...	553
269—By Kinne. To establish four agricultural, manual training and domestic science school districts, and to establish schools therein, and to make an appropriation therefor.		Reported with amendment... .	568
Introduced and referred....	523, 524	Amendment adopted	984
270—By Mattes. To repeal sections two thousand one hundred and sixty-five (2165) and two thousand one hundred and sixty-six (2166) of the code, and enacting a substitute therefor, pertaining to express companies.		Amended and passed	984, 985
Introduced and referred....	542	Passed House	1139
Reported	886	Passed on file	1176
Indefinitely postponed	1182	Enrolled	1207
		Signed	1215
		Sent to the Governor....	1208
		275—By Lambert. To amend sections three (3) and four (4) of chapter three (3) of the acts of the Thirty-first General Assembly, relating to printing, binding and distribution of state reports and documents.	
		Introduced and referred....	553
		Reported with amendments... .	571, 572
		Amendments adopted	675
		Passed	675, 676
		Amended and passed House. .	1309
		Passed on file.....	1329
		Senate concurs	1344
		Enrolled	1441, 1443
		Signed	1448
		Sent to the Governor....	1447

S. F.	Page.
276—By Lambert. To amend the law as it appears in section one hundred and thirty-six (136) of the code, fixing the manner of distribution of the report of the Academy of Sciences.	
Introduced and referred....	553
Reported	572
Passed	639
Amended and passed House.	892
Passed on file.....	911
Senate concurs	1141, 1142
Enrolled	1207
Signed	1215
Sent to the Governor.....	1208
277—By Saunders. To provide a uniform system of books, blanks, records, vouchers, etc., for use of County Auditors, County Treasurers and Clerks of the District Court.	
Introduced and referred....	
.....	553, 554
Reported with amendments.	567
Rereferred	639, 640
Reported with same amendments	647
Amendments adopted	671, 672
Passed	672
Amended and passed House.	1140
Passed on file.....	1176
Senate concurs	1239, 1240
Enrolled	1282, 1283
Signed	1278
Sent to the Governor.....	1285
278—By Kinne. To authorize the construction of a lock canal between Spirit Lake and east Okoboji Lake in Dickinson county, Iowa.	
Introduced and referred....	563
Substitute reported	825
*Substitute adopted	907
*Erroneously printed House File No. 278.	
Passed	907, 908
Amended and passed House.	1140
Passed on file.....	1176
Senate concurs	1264
Enrolled	1301, 1302
Signed	1301
Sent to the Governor.....	1303
279—By Eckles. In regard to admission to the Soldiers' Home and payment for support by members.	
Introduced and referred....	
.....	564
Reported	740
Passed	778
280—By Committee on Elections. 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, and the election of party committeemen, by a primary election, and for the holding of conventions by such political parties or organiza-	

S. F.	Page.
tions, providing penalties for the violation thereof, and repealing chapter forty (40), laws of the Thirtieth General Assembly, and chapters forty-five (45) and forty-six (46), laws of the Thirty-first General Assembly, relating to primary elections.	
Introduced and passed on file	564
Made a special order.....	570
Amended	656, 657, 658
Consideration deferred	658, 659
Considered	739
Amended	794, 795, 796
Explanation of vote.....	795, 796
Amended	804
Considered	805, 806
Amended 806, 807, 808, 809,	810
Considered	816, 817
Amended	817, 818
Considered	819, 820
Passed	821
Explanation of vote.....	821, 822
Amended and passed House.	923
Passed on file.....	938
Senate refuses to concur. 962,	965
House insists	1011
Conference Committee appointed	1010, 1015
Reported with amendments.	1075
Amendments adopted	
.....	1119, 1120, 1121
House adopts amendments..	1153
Passed on file.....	1177
Enrolled	1282, 1284
Signed	1278
Sent to the Governor.....	1285
281—By Stirton. To amend section fifty-one hundred and sixty-eight (5168) of the code relating to the time of commencing criminal actions.	
Introduced and referred....	564
Reported unfavorably	588
Indefinitely postponed	640
282—By Whipple. To provide for an exhibit of the arts industries and resources of the State of Iowa at the Alaska-Yukon-Pacific exposition to be held in the city of Seattle, in the state of Washington, and making appropriation therefor.	
Introduced and referred....	564
Reported unfavorably	802
Indefinitely postponed	802
283—By Gilliland. Legalizing an ordinance of the city council of the city of Red Oak Junction (now Red Oak), Iowa, passed February 5, A. D. 1900, granting to the Red Oak Gas Light company the use of the streets of Red Oak Junction (now Red Oak), Iowa, with certain conditional rights and privileges, for the purpose of erecting, purchasing, owning and main-	

S. F.	Page.	S. F.	Page.
taining a gas works system in said city.		*288—By Bruce. To amend chapter one hundred and fifty-two (152) of the acts of the Thirty-first General Assembly, relating to limitations for the commencement of actions and relative to real property, additional to chapter two (2), Title XVIII (18) of the code.	
Introduced and referred....	564	Introduced and referred....	579
Reported	588	Reported with amendment..	598
Passed	637, 638	Amendment adopted	745
Passed House	666	Passed	745
Passed on file.....	670	House indefinitely postponed	1236
Enrolled	766, 767	Passed on file	1242, 1243
Signed	770		
Sent to the Governor.....	768	289—By Stookey. To amend the law as it appears in section five (5), chapter one hundred and nine (109) of the laws of the Thirty-first General Assembly and to require assessors to report deaths occurring in their respective districts.	
284—By Saunders. Relating to the official inspection and weighing of grain at terminal cities and towns, under the control and direction of the State Board of Railway Commissioners, providing for the appointment of a chief inspector and his assistants and defining the manner in which inspection and weighing of grain shall be made; also prohibiting persons from interfering with inspectors and weighmasters in the discharge of their duties, and prohibiting persons from making inspection of or weighing grain in any city or town where official inspection has been established, and providing penalties for violations of this act.		Introduced and referred....	579
Introduced and referred	564	Reported	695
Reported with amendments.	565 759	Passed	743, 744
		Passed House	924
		Passed on file.....	937
		Enrolled	1006, 1007
		Signed	1013, 1474
		Sent to the Governor.....	1007
		290—By Stookey. To amend subdivision sixteen (16) of section six hundred and eighty-eight (688) of the code, in relation to the duties of city councils, and amending said sub-section sixteen (16), and making the same apply to cities of the second class.	
285—By Mattes. To amend section two thousand five hundred and thirty-eight of the code, regarding actions against unknown defendants to quiet title.		Introduced and referred.....	590, 591
Introduced and referred....	579	Reported and rereferred....	598
Reported unfavorably	1135	Reported	660
Indefinitely postponed	1135	Passed	777
		*Amended and passed House	804
		*Erroneously printed "passed House."	
		Passed on file.....	815
		Senate concurs	876, 877
		Enrolled	940, 942
		Signed	938
		Sent to the Governor.....	944
286—By Committee on Appropriations. Re-appropriating money for the purchase of land for the State Hospital for Inebriates at Knoxville.		291—By Gale. To regulate trust companies, to authorize such companies and state and savings banks to act in a fiduciary capacity, and to amend section one thousand six hundred and eleven (1611) of the code, relating to corporations.	
Introduced and referred....	579	Introduced and referred....	591
Passed	762, 763	Reported	844
Passed House	1011		
Passed on file.....	1015	292—By Saunders. Prohibiting any person from practicing law without being duly admitted, and from holding himself out as an attorney at law without first	
Enrolled	1062, 1063		
Signed	1068		
Sent to the Governor.....	1065		
287—By Smith of Mitchell. To aid in the acquisition of terminal facilities and power for interurban railway companies.			
Introduced and referred....	579		
Substitute reported	753		
Rereferred	907		
Substitute reported	1024		
Substitute adopted	1041, 1042		
Passed	1042		

S. F.	Page.
being admitted to practice law and providing a punishment therefor.	
Introduced and referred....	591
Reported unfavorably	598
Indefinitely postponed	640
293—By Turner. To amend section twenty hundred and twenty-two, relating to cattle guards at private crossings of railways.	
Introduced and referred...	593
Reported unfavorably	698
Indefinitely postponed	698
294—By Dunham. To regulate the charges for the use of seats and berths in sleeping cars on all railroads in this state and to provide penalties for the violation thereof.	
Introduced and referred....	593
Reported unfavorably	1173
295—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 punishment of unauthorized persons for hunting, pursuing, killing and taking any wild animals, birds, or game within the state, and amending section twenty-five hundred and sixty-two (2562) of the code, relating to the deputy fish and game wardens.	
Introduced and referred.	593, 594
Reported	715
Rereferred	891
Returned and referred to sifting committee	1293
296—By Kimmel. Amendatory of and additional to chapter fifteen (15) of the code and supplement to the code, relative to the care and propagation of fish.	
Introduced and referred...	594
Reported	716
Indefinitely postponed	1052
297—By Hughes (by request). Relating to treating in the use of intoxicating liquors.	
Introduced and referred....	594
Reported unfavorably	888
298—By Lambert. To make an appropriation for the removal of the remains of ex-Governor Ansel Briggs from Omaha, Neb., to Andrew, Jackson county, Iowa, and for the erection of a monument in the cemetery of that place in commemoration of his memory.	
Introduced and referred....	594
Reported unfavorably	1406

S. F.	Page.
299—By Crossley. Defining bucket shop and bucket shopping, making it a crime to maintain and operate the same and providing penalties for so doing.	
Introduced and referred....	594
Reported and rereferred....	916
Returned and referred to sifting committee	1378
300—By Nichols. To amend section four hundred and forty-eight (448) of the code, relating to borrowing money for the erection of public buildings in counties having a population of forty thousand or over.	
Introduced and referred....	607
Reported	670
Passed	720, 721
Passed House	782
Passed on file	790
Enrolled	841, 842
Signed	844
Sent to the Governor.....	843
301—By Dowell. To indemnify C. F. Jones for money paid out by him in contesting a civil action instituted against him by the State of Iowa.	
Introduced and referred....	607
Reported and rereferred....	855
Reported	1097
Passed	1205, 1206
Passed House	1458
Passed on file	1461
Enrolled	1511, 1512
Signed	1505
Sent to the Governor.....	1513
302—By Crossley. To amend section twenty-eight hundred and thirty-three-f (2833-f) of the supplement to the code, relative to the enforcement of the law for compulsory attendance.	
Introduced and referred....	622
Reported	697
Amended and passed....	1033, 1034
Passed House	1393
Passed on file	1402
Enrolled	1469, 1470
Signed	1468
Sent to the Governor.....	1473
303—By Smith of Mitchell. Amending section three thousand four hundred fifty-six (3456) and additional to chapter two (2) of Title XVIII (18) of the code, relating to limitations of actions.	
Introduced and referred....	634
Reported unfavorably	670
Indefinitely postponed	1183
304—By Saunders. Authorizing the giving of pensions to disabled and retired firemen, and the widows and minor children and dependent fathers and mothers of deceased firemen in cities, incorporated towns	

S. F.	Page.	S. F.	Page.
and special charter cities having organized fire departments, creating a fund from which to pay such pensions, and providing for the distribution thereof; creating a board of trustees to care for such pension fund, and prescribing their powers and duties; and authorizing the retiring from service of firemen under certain conditions.		Reported unfavorably	1130
Introduced and referred	646	Indefinitely postponed	1130
Reported and rereferred to sifting committee	1223, 1224		
305—By Whiting. To amend section two thousand one hundred and sixteen (2116) of the code, relating to railroads.		310—By Jones. To give owners or keepers of stallions, jacks and bulls a lien for the service of such animal upon the offspring.	
Introduced and referred	650	Introduced and referred	669
Reported	755	Reported unfavorably	813
Passed	968	Indefinitely postponed	1047
Amended and passed House	1198		
Passed on file	1213	311—By McManus. To amend chapter one (1), Title VII (7) of the code, relating to the improvement of main roads.	
Senate concurs	1240, 1241	Introduced and referred	683
Enrolled	1283, 1284	Substitute reported	1106
Signed	1278	Substitute adopted	1185
Sent to the Governor	1286	Amended	1186
		Passed	1186
		House fails to pass	1440
		Passed on file	1448
306—By Gilliland. To amend section thirteen hundred and four (1304) of the code, relating to exemptions from taxation.		312—By Eckles. Authorizing cities and towns, including cities under special charter, to provide for the collection and disposal of garbage, and for the payment for such service.	
Introduced and referred	662, 663	Introduced and referred	689
Reported	728	Reported	914
Indefinitely postponed	891	Passed	1043
		Motion to reconsider filed	1057
		Recalled from House	1083
		Motion to reconsider withdrawn	1095
		Request for recall withdrawn	1095
		House returns	1099
		House indefinitely postpones	1201
		Passed on file	1215
307—By Young. To amend sections three (3) and six (6) of chapter eighty-seven (87) of the acts of the Thirtieth General Assembly, in relation to the inspection of petroleum products.		313—By Kinne. Dividing the state into districts, establishing agricultural and manual training schools therein, providing for their management, control and the operation thereof, creating a board of trustees therefor, establishing courses of study therein and making provision for the creation and support thereof.	
Introduced and referred	667	Introduced and referred	689, 690
Reported unfavorably	1281	Reported without recommendation	906
Indefinitely postponed	1281	Rereferred	906
		Reported unfavorably	1189
308—By Warren. Granting the use of public highways for the laying of water mains and pipes and the setting of electric wire poles thereon.		314—By Whiting. To legalize certain ordinances and official acts of the town council of Mondamin, Harrison county, Iowa.	
Introduced and referred	669	Introduced and referred	706
Reported with amendments	972	Reported with amendment	758
Amendments adopted	1069	Amendment adopted	774
Amended and passed	1070	Passed	775
Amended and passed House	1393	Passed House	923
Passed on file	1402, 1403	Passed on file	938
*Senate concurs	1420, 1421	Enrolled	1006, 1007
*Erroneously printed House File No. 308.		Signed	1013, 1474
Enrolled	1469, 1470	Sent to the Governor	1007
Signed	1468		
Sent to the Governor	1474		
309—By Jackson. Prohibiting the giving or receiving of any rebate or premium payable on any policy or contract of insurance written within the State of Iowa.			
Introduced and referred	669		

S. F.	Page.
315—By Stookey. To repeal section fourteen hundred and sixty (1460) of the code, relating to the statement by the auditor of state of the county treasurer's account with the treasurer of state.	
Introduced and referred....	720
Reported	813
Passed	978, 979
Passed House	1393
Passed on file.....	1402
Enrolled	1468, 1469
Signed	1468
Sent to the Governor.....	1473
316—By Burgess. To repeal section two thousand and twenty-six (2026) of the supplement to the code, and chapter eighty-seven (87) of the acts of the Thirty-first General Assembly, relating to rail-ways operated by animal or other power, and to enact a substitute there-for.	
Introduced and referred....	726
Returned and referred to sifting committee	1378
317—By Mattes. To amend chapter one hundred and sixty-five (165), laws of the Thirty-first General Assembly, relating to approp-riation for enforcement of food law.	
Introduced and referred....	726
Reported unfavorably	1098
Indefinitely postponed	1098
318—By Newberry. To amend chapter one hundred and sixty-five (165), laws of the Thirty-first General Assembly, relating to the definition of adulterated foods, and fixing standards for certain food products.	
Introduced and referred....	731
Reported	765
Passed	983, 984
Amended and passed House.	1309
Passed on file.....	1329, 1330
Senate concurs	1332
Enrolled	1442, 1443
Signed	1448
Sent to the Governor.....	1447
319—By Allen. To amend the law as it appears in Title XV (15), chapter one (1) of the code, relating to weights and measures, providing for county and state inspection of scales, and making an appropria-tion for payment of State Sealer, and providing for the punishment for viola-tion of this act.	
Introduced and referred....	747
Reported unfavorably	970
Indefinitely postponed	971

S. F.	Page.
320—By Maytag. To amend sec-tion two thousand two hundred and sixty-one (2261) of the code and all subsequent laws, relating to the County Commis-sioner of Insanity.	
Introduced and referred....	770
Reported unfavorably	813
Indefinitely postponed.....	981
321—By Elerick. To enable in-corporated towns located in more than one township the power to establish a voting precinct for such incorporated town.	
Introduced and referred....	778
Reported unfavorably	813
Indefinitely postponed	814
322—By Smith of Mitchell. To amend section twenty-two hundred and seventy (2270) of the code, relat-ing to settlement of insane patients.	
Introduced and referred....	781
Reported	1128
Passed	1264, 1265
Passed House	1426
Passed on file.....	1432
Enrolled	1468, 1472
Signed	1468
Sent to the Governor.....	1473
323—By McManus. To legalize the acts and resolutions passed by the board of supervisors of Lee county, Iowa, allowing a certain person appointed to collect delinquent personal tax, a commission in addition to the five per cent provided by statute.	
Introduced and referred.781,	782
Reported unfavorably	813
Indefinitely postponed	1047
324—By Jackson. To legalize the action of the members of the Florence Crittenton Home of Sioux City in amending its articles of in-corporation, and to legalize said amended articles.	
Introduced and referred.792,	793
Reported unfavorably	1135
Indefinitely postponed	1136
325—By Bleakly. To amend sec-tion five hundred and forty-three of the code, re-lating to the fees of county supervisors.	
Introduced and placed on calendar	793
Passed	999, 1000
House indefinitely postpones.	1201
Passed on file.....	1215
326—By Whipple. To legalize certain ordinances and amendments to the ordi-nances passed by the city council of Tama, Tama county, Iowa, and to le-galize all of the official acts of the city officials of Tama, Tama county, Iowa, acting as such under said	

S. F.	Page.	S. F.	Page.
ordinances and amend- ments.		Introduced and referred....	844
Introduced and referred....	793	Reported without recommen- dation	1243
Reported	811	Referred to Sifting Commit- tee	1243
Passed	1045, 1046		
Passed House.....	1353	332—By Saunders. To provide for the election of county officers and fixing their terms of office.	
Passed on file.....	1363	Introduced and referred....	855
Enrolled	1441, 1443	Reported unfavorably	921
Signed	1448		
Sent to the Governor.....	1446	333—By Maytag. To amend chap- ter eighty (80) of the acts of the Thirtieth General Assembly, relating to state hospitals for inebriates and to furnish additional provision in regard to commitments to and re- lease from hospitals.	
327—By Allen. To amend the law as it appears in chap- ter one hundred and fifteen (115), section three (3), acts of the Thirty-first General Assembly, relating to examination and regis- tration of pharmacists.		Introduced and referred. 871,	872
Introduced and referred....	803	Reported	1024
Reported unfavorably	1053		
Indefinitely postponed	1053	334—By Maytag. Appropriating the sum of \$151.90 to be paid to W. J. McAhren in settlement of a claim against the State of Iowa, arising by reason of the efforts of the said W. J. McAhren to extradite one H. S. Green.	
328—By McManus. Authorizing the employment of convict labor in the care of the state's property and for other purposes.		Introduced and referred....	883
Introduced and referred....	823	Reported	1006
Reported	1005	Passed	1053, 1054
Passed	1056, 1057	Passed House	1393
Amended and passed House.	1372	Passed on file.....	1403
Passed on file.....	1374	Enrolled	1469, 1470
Senate concurs	1377	Signed	1468
Enrolled	1442, 1444	Sent to the Governor.....	1473
Signed	1448		
Sent to the Governor.....	1447	335—By DeArmand. To prohibit the sale, delivery and ship- ment of articles of food in unsanitary packages or coverings.	
329—By DeWolf (by request). To repeal the law as it appears in chapter thirty- nine (39), section one (1) of the acts of the Thirty- first General Assembly, re- lating to the term of office of the county officers, ex- tending the time of office of the county auditor, clerk, recorder of deeds and county attorney, and making the terms of office four years.		Introduced and referred....	898
Introduced and referred....	823	Reported unfavorably	1280
Reported and referred....	1135	Indefinitely postponed	1280
Reported unfavorably	1218		
Indefinitely postponed	1219	336—By Whipple. Amendatory to and additional to the law as it appears in section three (3), chapter one hun- dred and sixteen (116) of the laws of the Thirty- first General Assembly of Iowa, relative to the prac- tice of dentistry and ex- tending the time within which to file licenses is- sued prior to January 1, 1907, under certain condi- tions.	
330—By Turner. Relating to the sale of intoxicants in the vicinity of military reser- vations, and providing a penalty for the violation thereof.		Introduced and referred. 898,	899
Introduced and referred....	831	Reported with amendment.	917
Reported with amendments..	939	Amendment adopted....	1142, 1143
Amendments adopted	982	Amended and passed.....	1143
Passed	982, 983	Passed House	1426
Amended and passed House.	1353	Passed on file.....	1432
Passed on file.....	1363	Enrolled	1468, 1472
Senate concurs	1397, 1398	Signed	1468
Enrolled	1469, 1470	Sent to the Governor.....	1473
Signed	1468		
Sent to the Governor.....	1473		
331—By Warren. To require the county attorney to enforce the liquor laws and provid- ing for his removal in case he refuses or neglects such duty.			

S. F.	Page.
337—By Moon. To legalize the action of the independent school district of Star No. 6, of Center township, Wapello county, Iowa, and of the independent school district of Ottumwa, Iowa, consolidating the former with and merging it in the latter.	
Introduced and referred....	899
Reported	1023
Indefinitely postponed	1036
338—By Gilliland. For the regulation and taxation of persons who shall maintain an office or place of business where intoxicating liquors are held in store and the purchase price thereof collected for the owner from the person to whom they have been conditionally sold.	
Introduced and referred....	899
Reported with amendment..	917
Amendment adopted ...	986, 987
Passed	987
Amended and passed House.	1394
Passed on file.....	1403
Senate concurs	1403, 1404
Motion to reconsider filed..	1449
Motion to reconsider lost..	1464, 1465
Enrolled	1519, 1520
Signed	1522
Sent to the Governor.....	1521
339—By Saunders. To amend section five thousand six hundred and sixty-three (5663) of the code as it appears in the section of said number in the supplement to the code, relative to the number of guards in the state penitentiaries.	
Introduced and referred....	907
Reported	1114
Consideration postponed ...	1438
Passed	1439
Passed House	1449
Passed on file.....	1454
Enrolled	1506, 1507
Signed	1505
Sent to the Governor.....	1507
340—By Saunders. Amending section two thousand and fifty-one (2051) of the code, relating to the conditional sale or lease of railroad or street railway equipment or rolling stock, so as to provide for the conditional sale or lease of power house and electrical equipment of interurban or street railways or of electric light and power companies or of steam heating companies.	
Introduced and referred....	907
Reported	949
Passed	985, 986
Passed House	1200
Passed on file.....	1214
Enrolled	1282, 1284
Signed	1278
Sent to the Governor.....	1286

S. F.	Page.
341—By Dowell. To amend the law as it appears in section eight hundred and fifty-two (852) of the supplement to the code as amended by chapter thirty-four (34) of the laws of the Thirtieth General Assembly, authorizing the levy of an additional tax of one mill on the dollar on all taxable property for park purposes, relating to park commissioners, their powers and duties.	
Introduced and referred....	914
Reported	993
Passed	1001, 1002
Passed House	1083
Passed on file.....	1094
Enrolled	1155, 1156
Signed	1155
Sent to the Governor.....	1158
342—By Bruce. Amendatory of and additional to Title V (5), chapter four (4) of the code, relating to power of cities and towns and cities under special charters to regulate, or suppress, restrain and prohibit the handling or use of intoxicating liquors on the streets, alleys, railway and depot grounds, and other public places or grounds or on or in any private premises without the consent of the owner of such premises, within the corporate limits of any city or town.	
Introduced and referred....	914
Reported without recommendation	1244
343—By Turner. To legalize the ordinances and amendments to ordinances passed by the town council of Nodaway, Iowa, acting as such officials.	
Introduced and referred....	946
Reported	988
Passed	989, 990
Passed House	1139
Passed on file.....	1176
Enrolled	1207
Signed	1215
Sent to the Governor.....	1208
344—By Allen. To amend section twenty-one hundred and sixteen (2116) of the code, relating to the duties of railroads as to furnishing transportation.	
Introduced and referred....	952
Reported	1101
Motion to direct sifting committee to return bill lost	1310, 1311
345—By Burgess. To amend section twenty-five hundred and thirty-three (2533) of the code, relating to the deputies of the State Veterinary Surgeon.	

S. F.	Page.
Introduced and referred....	952
Reported unfavorably	1232
Indefinitely postponed.....	1232
346—By Young. To amend sections two thousand five hundred and seventy-four (2574) and two thousand five hundred and seventy-five (2575) of the code, relative to the salary of the Secretary of the State Board of Health.	
Introduced and referred....	986
Reported unfavorably	1126
347—By Gilliland. Granting to cities and towns power to regulate, define, tax and license public dance halls, skating rinks, fortune tellers, palmists and clairvoyants.	
Introduced and placed on calendar	993
Amended	1070, 1071
Passed	1071
Passed House	1199
Passed on file.....	1214
Enrolled	1282, 1283
Signed	1278
Sent to the Governor.....	1285
348—By Jackson. To legalize the actions of certain homes for destitute or unfortunate women and orphans or abandoned children in certain cases and the amendment of articles of incorporation thereof.	
Introduced and referred....	1004
Reported	1141
Passed	1273, 1274
Passed House	1436
Passed on file.....	1438
Enrolled	1468, 1472
Signed	1468
Sent to the Governor.....	1472
349—By Smith of Mitchell. To repeal section one thousand three hundred and forty-six-d (1346-d) of the supplement to the code, relating to the assessment of express companies for taxation, and to enact a substitute therefor.	
Introduced and placed on calendar	1005
Passed	1147, 1148
Amended and passed House.....	1439, 1440
Passed on file.....	1448
Senate concurs	1455
Enrolled	1506
Signed	1505
Sent to the Governor.....	1507
350—By Jackson. To amend the law as it appears in section one (1), chapter eighty-five (85), acts of the Thirtieth General Assembly, relating to salary of Commissioner of Bureau of Labor Statistics and his deputy.	
Introduced and referred....	1015
Reported with amendments. 1128	

S. F.	Page.
Rereferred	1244
Reported with same amendment	1281
Amendment lost	1286, 1287
Passed	1287, 1288
Passed House	1459
Passed on file.....	1463
Enrolled	1511, 1512
Signed	1505
Sent to the Governor.....	1512
351—By Turner. To authorize the sale of the southwest quarter of section twenty-seven (27), township seventy-eight (78) north, range twenty-four (24) west of the 5th P. M. known as the camp ground of the Iowa National Guard, and to use the proceeds of the sale, or so much thereof as may be necessary, in the purchase and improvement of another camp ground for the said Guard.	
Introduced and referred....	1030
Reported	1068
Amended and passed... 1143, 1144	
Passed House	1418
Passed on file.....	1419
Enrolled	1469, 1470
Signed	1468
Sent to the Governor.....	1474
352—By Hughes. To amend section five thousand four hundred and forty-eight (5448) of the code, in relation to the time in which an appeal may be taken in criminal cases.	
Introduced and referred....	1033
Reported unfavorably	1134
Indefinitely postponed	1134
353—By Hugnes. Relative to the procedure in courts of record in this state and providing as to what shall be required in order that a new trial be granted.	
Introduced and referred	1033
Reported unfavorably	1134
Indefinitely postponed	1135
354—By Allen. Defining, regulating and conferring rights and powers upon automobile railways, additional to chapter four (4), Title X (10) of the code.	
Introduced and referred....	1056
Reported	1100
House File No. 435, substituted for	1244
(See House File No. 435.)	
355—By Seely. Authorizing the State Board of Control of the State of Iowa to grant the right of way for an interurban or other railway over and across the lands of the Iowa State Hospital for the Insane at Mount Pleasant, Henry county, State of Iowa, and to fix terms and conditions therefor.	

S. F.	Page.
Introduced and referred....	1056
Reported with amendments. 1171	
Amendments adopted	1241
Passed	1242
Motion to reconsider filed..	1266
Reconsidered	1290, 1291
Substitute adopted	1291, 1292
Passed	1292
Passed House.....	1351, 1352
Passed on file.....	1362
Enrolled	1441, 1443
Signed	1448
Sent to the Governor.....	1446
356—By Taylor. To legalize the annexation of certain territory to the city of Centerville, Appanoose county Iowa, and the election of officers by said city as enlarged.	
Introduced	1095
Referred	1096
Reported	1137
House File No. 473 substituted for	1246
(See House File No. 473.)	
357—By Maytag. Making appropriations to the Iowa State College of Agriculture and Mechanic Arts.	
Introduced and placed on calendar	1098
Amended and passed House.....	1356
Amended and passed House. 1460	
Senate concurs	1466, 1467
Enrolled	1513, 1514
Signed	1505
Sent to the Governor.....	1515
358—By Maytag. Making appropriations for the State University of Iowa.	
Introduced and placed on calendar	1098
Amended	1357
Amendment offered and lost	1357
Explanation of vote.....	1358
Passed	1358
Amended and passed House. 1460	
Senate concurs	1465
Enrolled	1510, 1511
Signed	1505
Sent to the Governor.....	1512
359—By Mavtag. Making appropriations for the State Normal School.	
Introduced and placed on calendar	1099
360—By Maytag. 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, Institution for the Deaf, Iowa Soldiers' Home and Iowa Soldiers' Orphans' Home.	
Introduced and placed on calendar	1099
Amended	1358 1359
Passed	1359
Amended and passed House. 1459	
Senate concurs	1463, 1464
Enrolled	1510, 1511

S. F.	Page.
Signed	1505
Sent to the Governor.....	1512
361—By Taylor. To authorize and direct Boards of Supervisors in the State of Iowa in counties adjoining and bordering upon the state line of Missouri, directing the said boards of Supervisors to agree with the supervisors in the adjoining counties in the state of Missouri as to the portion of highways on said state line which should be kept in repair by the authorities in each of said states.	
Introduced and referred....	
.....	1104, 1105
Substitute reported	1231
Referred to sifting committee	1231
Substitute adopted	1275
Passed	1276
*Passed House	1343
*Erroneously printed House File No. 361.	
Passed on file.....	1348, 1349
Enrolled	1442, 1444
Signed	1448
Sent to the Governor.....	1447.
362—By Smith of Mitchell. To amend chapter four (4), Title VII (7) of the code, relating to the collection of a tax upon inheritances.	
Introduced and placed on calendar	1125
Amended	1209, 1210
Passed	1210, 1211
House indefinitely postpones. 1467	
Passed on file.....	1485
363—By Seeley. To grant officers and other employes at the Hospitals for the Insane at Mount Pleasant, Independence, Clarinda and Cherokee an annual vacation of fifteen days with pay.	
Introduced and referred....	1171
Reported	1253
Referred to sifting committee	1253
364—By Moon. To enable the State of Iowa to sell and dispose of all unclaimed lands within the former channel of the Des Moines river and formed by accretions in consequence of changes of the channel of such river.	
Introduced and referred....	1179
Reported and referred to sifting committee	1219
Amended and passed. 1345, 1346	
Passed House	1392
Passed on file.....	1403
Enrolled	1468, 1470
Signed	1468
Sent to the Governor.....	1473

S. F.	Page.
365—By Foiey. Authorizing counties having a population of 15,000 or over to construct and maintain a hospital, and authorizing a levy to pay for the erection, construction and maintenance thereof.	
Introduced and referred.....	1186, 1187
Printed in Journal.....	1187
Reported unfavorably.....	1223
Indefinitely postponed.....	1223
366—By Maytag, from the Committee on Appropriations. To authorize and empower the Executive Council to redecorate and refinish the Senate chamber at the Capitol building, together with the Lieutenant Governor's rooms and committee and cloak rooms connected therewith, and to make an appropriation therefor.	
Introduced and passed on file.....	1247
Printed in Journal.....	1248
Passed.....	1479
House fails to pass.....	1502, 1503
Passed on file.....	1504
367—By Maytag, from the Committee on Appropriations. Authorizing the Executive Council to install an additional boiler and additional equipment in the power and storage house, and to erect an additional storage house, and to make appropriations therefor.	
Introduced and passed on file.....	1247
Printed in Journal.....	1248
Passed.....	1327
Passed House.....	1460
Passed on file.....	1467
Enrolled.....	1506
Signed.....	1505
Sent to the Governor.....	1507
368—By McManus. To amend the law as it appears in section one thousand four hundred and seven of the code of Iowa of 1897 by changing the percentage to be allowed collectors appointed by county treasurers for their services and expenses.	
Introduced and referred to sifting committee.....	1254
369—By Warren. To repeal section sixteen hundred and ninety-nine (1699) of the code, relating to investment of funds of insurance companies other than life, and enact a substitute therefor.	
Introduced and referred.....	1300
370—By Peterson. To legalize the election of the town council of the incorporated town of Belmond, Wright	

S. F.	Page.
county, Iowa, and all the acts thereof during the last ten years.	
Introduced and referred.....	1306
Passed.....	1340, 1341
Passed House.....	1380
Passed on file.....	1384
Enrolled.....	1441, 1443
Signed.....	1448
Sent to the Governor.....	1446
371—By Saunders. Fixing the place of confinement of females who are convicted of felonies and sentenced to confinement in the penitentiary.	
Introduced.....	1381
Referred to sifting committee.....	1381
Passed.....	1395
Passed House.....	1403
Passed on file.....	1404
Enrolled.....	1468, 1470
Signed.....	1468
Sent to the Governor.....	1473
372—By Wilson of Fayette. Legalizing the acts and proceedings of the city council of Oelwein, Iowa.	
Introduced.....	1412
Referred to sifting committee.....	1413
Passed.....	1419, 1420
Passed House.....	1458
Passed on file.....	1460
Enrolled.....	1513, 1514
Signed.....	1505
Sent to the Governor.....	1508
*373—By Smith of Mitchell. To	
*Erroneously printed Senate File No. 376.	
define the duty of common carriers of freight, respecting the speed of cars of live stock, conferring additional powers upon the Board of Railroad Commissioners with relation thereto, and providing for the enforcement of the orders, rulings and regulations of the board.	
Introduced.....	1437
Referred to sifting committee.....	1437
Amended and passed.....	1455, 1456
Passed House.....	1475, 1476
*Passed on file.....	1486
*Erroneously printed House File No. 373.	
Enrolled.....	1511, 1512
Signed.....	1505
Sent to the Governor.....	1513
374—By Maytag. To amend an act passed by the Thirtieth General Assembly, entitled "An act making appropriations for the Iowa State College of Agriculture and Mechanic Arts, the State University, and the State Normal School, and known as Senate File No. 77."	
Introduced.....	1486
Passed.....	1486, 1487
Passed House.....	1500
Passed on file.....	1501
Enrolled.....	1518, 1520

SENATE JOINT RESOLUTIONS

1563

S. F.	Page.
Signed	1522
Sent to the Governor.....	1521
375—By Maytag. To make ap- propriations for the pay- ment of state and judicial officers, state and other expenses.	
Introduced	1494
Considered	1499
Passed	1499, 1500
Passed House	1502
Passed on file	1504
Enrolled	1519, 1521
Signed	1522

S. F.	Page.
Sent to the Governor.....	1522
376—By Smith of Mitchell. To provide for the general levy for state purposes for the years 1907 and 1908.	
Introduced	1503
Considered	1503
Passed	1503, 1504
Passed House	1509, 1510
Passed on file	1510
Enrolled	1519, 1521
Signed	1522
Sent to the Governor.....	1522

SENATE JOINT RESOLUTIONS

INTRODUCTION AND ACTION

No.	Page.
1—By Smith of Mitchell. Joint resolution relating to the selection of additional employees of the Thirty- second General Assembly, fixing their compensation and defining their duties.	
Introduced	115
Printed in Journal.....	115
Passed	115
Passed House	123
Passed on file.....	123
Enrolled	145
Signed	146
Sent to the Governor.....	146
2—By Smith of Mitchell. Joint resolution of the Thirty- second General Assembly of the State of Iowa, mak- ing application to the Con- gress of the United States, to call a convention for proposing amendments to the Constitution of the United States.	
Introduced and referred....	155
Reported	243
Passed	281, 282
Explanation of vote.....	282
Passed House	547
Passed on file.....	554
Enrolled	632
Signed	634
Sent to the Governor.....	633
3—By Gale. Proposing amend- ments to the constitution of Iowa, relative to suf- frage and to provide for its reference and publica- tion.	
Introduced and referred....	441
Reported	597
Made a special order.....	810
Lost on passage	895, 896

No.	Page.
4—By Jackson, Senate Joint Resolution No. 4, joint resolution providing for the appointment of a com- mission to inquire into the subject of taxation for the state and local purposes and the expediency of re- vising and amending the laws relating thereto and making an appropriation therefor.	
Introduced and referred.....	686
Reported with amendments.	905
5—By Turner. For the ap- pointment of a joint com- mittee to purchase a chair and gavel for the Speaker of the House and Presi- dent of the Senate.	
Introduced and placed on calendar	939
Passed	981, 982
Amended and passed House.	1160
Passed on file.....	1178
Senate concurs	1339, 1340
Enrolled	1442, 1444
Signed	1448
Sent to the Governor.....	1447
6—By Smith of Mitchell. Joint resolution fixing the num- ber and compensation of employees in the depart- ment of state at the seat of government.	
Introduced	1421
Taken up for consideration.	1426
Amended	1428, 1429, 1430
Passed	1431, 1432
Amended and passed House.	1485
Referred	1487
Senate concurs	1489, 1490
Enrolled	1519, 1520
Signed	1522
Sent to the Governor.....	1522

No.	Page.	No.	Page.
7—By Maytag. Joint resolution approving estimates of costs, plans and specifications of an annex to the Hall of Agriculture, an addition to Margaret Hall, a General Engineering Laboratory, and Dairy and Poultry Farm buildings, and authorizing the erection of said buildings.		8—By Maytag. Joint resolution approving estimates of cost, plans and specifications of Law building, Physics building and addition to Engineering building at the State University at Iowa City, Iowa, and authorizing the erection thereof.	
Introduced	1476	Introduced	1477
Considered	1476	Considered	1478
Passed	1477	Passed	1478, 7479
Passed House	1500	Passed House	1504, 1505
Passed on file	1501	Passed on file	1505
Enrolled	1519, 1520	Enrolled	1519, 1521
Signed	1522	Signed	1522
Sent to the Governor	1522	Sent to the Governor	1522

SENATE CONCURRENT RESOLUTIONS

- By Jamison of Clarke. Appointment of joint committee to select additional employes. Offered, 6; adopted, 7; House adopts substitute, 107; Senate concurs, 110.
- By Dowell. Appointment of joint committee on inauguration. Adopted, 7; House concurs, 37; passed on file, 38.
- By Young. Requesting secretary of State to furnish each member of Thirty-second General Assembly with code and code supplement and certain session laws. Adopted, 8; House amends and concurs, 40; Senate concurs, 40.
- By Smith of Mitchell. Relative to holding joint convention to canvass vote on Governor and Lieutenant-Governor. Adopted, 38; House concurs, 40; passed on file, 40.
- By McKlveen. Appointment of committee to draft resolutions on life and services of Samuel L. Bestow. Adopted, 39; House concurs, 103; Passed on file, 104.
- By Maytag. Appointment of committees to visit State institutions. Adopted, 107; House concurs, 116; passed on file, 123.
- By Jamieson of Page. Holding of joint session February 12, 1907, and inviting W. J. Bryan to address same. Adopted, 244; House concurs, 259; passed on file, 264, 265.
- By Smith of Mitchell. Relative to temporary adjournment. Introduced, 269; amended and adopted, 301; Senate recalls, 375; returned by House, 400; reconsidered, amended and adopted, 445; House concurs, 462; passed on file, 474.
- By Smith of Mitchell. Relative to temporary adjournment. Introduced, 364.
- By Dowell. Defining duties of janitress. Introduced, 373; referred, 453.
- By Lambert. Directing Secretary of State to publish road and drainage laws in pamphlet form. Adopted 383; House concurs, 459; passed on file, 460.
- By Turner. Directing Secretary of State to furnish certain officers of House and Senate with copies of code, code supplement and certain session laws. Offered, 376.
- By Stookey. Relative to final adjournment. Offered, 542; amended, 1173; adopted, 1180; motion to reconsider filed, 1186, 1215; amended, and adopted, 1346; motion to reconsider lost, 1346.
- By Gale. Directing fish and game warden to investigate necessity of dredging lakes for boating and fishing. Offered, 1013; adopted, 1080; House concurs, 1510; passed on file, 1510.
- By Jackson. Appointment of committee to recodify laws relating to examination and certification of teachers. Offered, 1016.
- By Committee on Penitentiaries and Pardons. Parole for Jasper Mason. Offered, 1230; adopted, 1298, 1299; House concurs, 1484; passed on file, 1487.
- By Committee on Penitentiaries and Pardons. Parole for Orman McPherson. Offered, 1230; lost, 1297, 1298.
- By Committee on Penitentiaries and Pardons. Parole for Betsey Smith. Offered, 1230; lost, 1299, 1300; motion to reconsider filed, 1301; motion to reconsider withdrawn, 1317.
- By Crossley. Holding of joint convention to elect trustees and regents of educational institutions. Adopted, 1334; House amends and concurs, 1359; Senate concurs, 1360.
- By Newberry. Directing Secretary of State to publish new pure food, pure paint and pure drug laws. Adopted, 1347; House concurs, 1372; passed on file, 1374.

HOUSE BILLS

RECEPTION AND ACTION

H. F.	Page
1—To amend the law as it appears in section four hundred twenty-two (422) of the code and section one thousand six hundred and sixty (1660) of the code, relating to the purchase of land for county fair societies.	
Received	612
Referred	615
Recalled by House.....	738
Passed on file.....	748
Request of House granted..	763
Received	783
Referred	792
Reported	855
Passed	975, 976
Enrolled	1040
Signed	1042
2—To amend the law which appears as chapter 56, acts of the Thirtieth General Assembly, relating to examination of insurance companies.	
Received	116
Referred	123
Passed	130
Enrolled	238
Signed	250
7—To regulate the transportation of dead bodies, and the practice of embalming, and to provide for examination and license of embalmers, and to provide penalties for violation.	
Received	283
Referred	285
Reported	368
Amended and passed.....	383, 384
House concurs	426
Passed on file.....	437
Enrolled	444
Signed	465
11—Providing for the purchase and erection of a monument at the grave of the late ex-Governor William M. Stone, and making an appropriation therefor.	
Received	221
Referred	225
Reported unfavorably	1407
Indefinitely postponed	1407

H. F.	Page.
12—To amend chapter two (2) of Title VIII (8) of the supplement to the code, relating 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.	
Received	350
Referred	354
Reported unfavorably	410
Indefinitely postponed	410
14—To prohibit the corrupt influencing of agents, representatives, employes, officers of a private corporation, or public officers acting in behalf of a principal in any business transaction, and provide a penalty therefor.	
Received	782, 783
Referred	792
Reported	1136
Passed	1265, 1266
Enrolled	1364
Signed	1365
16—To amend section one thousand five hundred twenty-eight (1528) of the supplement to the code, relative to road tax, the method of payment thereof, the reservation of such tax for payment of benefits assessed against townships in drainage districts, and the duties of township trustees, township clerks and county auditor.	
Received	611
Referred	614
Reported unfavorably	856
Indefinitely postponed	856
18—To repeal section thirty-one hundred and thirty-five (3135) of the code, relative to the liability of common carriers for damage occasioned to baggage or other property belonging to travelers, and	

H. F.	Page.
to enact a substitute therefor.	
Received	838
Referred	852
21—To legalize the special election of the town of Greenfield, Iowa, held September 10, 1906, for erection of waterworks and sewers and voting bonds therefor.	
Received	221
Referred	225
Reported	246
Passed	247
Enrolled	349
Signed	351
27—To amend chapter thirty-seven (37), laws of the Thirty-first General Assembly, relating to the special election of township officers in newly created townships.	
Received	195
Referred	199
Reported with amendment..	394
Amended and re-referred..	
.....	404, 405
Substitute reported	410, 411
Substitute adopted	445
Amended and passed..	445, 446
House concurs	784
Passed on file	791
Enrolled	815
Signed	823
29—To amend section seven (7) of chapter one hundred and nine (109) of the laws of the Thirty-first General Assembly, relating to registration of births and deaths.	
Received	231
Referred	232
Reported	256
Rereferred	283
Substitute reported	921
Substitute adopted	1201
Passed	1201, 1202
House concurs	1274
Passed on file	1294
Enrolled	1304
Signed	1301
32—Amending section one thousand seven hundred and ninety-four (1794) of the code, relative to fraternal accident associations.	
Received	170
Referred	171
Reported	188
Passed	198
Enrolled	238
Signed	250
38—To amend section three hundred sixty (360) of the code, when guarantee companies may be accepted as surety.	
Received	196
Referred	199
Reported unfavorably	216
Indefinitely postponed	260

H. F.	Page.
41—To provide for the payment of bounty for the destruction of pocket gophers and to levy a tax for such bounty.	
Received	240
Referred	241
Reported	461
Amended and passed..	518, 520
Motion to reconsider filed..	531
Reconsidered and amended	622, 623
Passed	623
House concurs	681
Passed on file	690
Enrolled	712
Signed	712
42—To repeal section four hundred and twelve (412) of the code and to enact a substitute therefor, relating to the time of holding meetings of the board of supervisors.	
Received	240
Referred	241
Reported unfavorably	265
Indefinitely postponed	265
House requested to return..	300
Returned by House	302
Passed on file	303
Rereferred	308
Substitute reported	398
Substitute adopted and passed	420
House refuses to concur..	610
Senate insists	614
Conference committee appointed	615, 681
House passes conference committee substitute	1138
Passed on file	1173
Conference committee reports substitute	1190
Substitute passed	1191
Enrolled	1364
Signed	1365
43—To repeal section four hundred and sixty-nine (469) of the code, and enact a substitute therefor, providing for the compensation of county supervisors.	
Received	350
Referred	354
Reported	450
Amended and passed..	480, 481
House concurs	681
Passed on file	690
Enrolled	712
Signed	712
47—Regulating disbursement of insurance companies.	
Received	169
Referred	171
Reported	452
Amended and passed..	536, 537
House concurs	576
Passed on file	580
Enrolled	616
Signed	608
48—To provide a method whereby assessment life associations may be re-incorporated as legal reserve life insurance companies.	
Received	169

H. F.	Page.
Referred	171
Reported with amendment..	546
Amendment adopted ..	640, 641
Consideration deferred ..	641
Passed	650
House concurs	784
Passed on file	791
Enrolled	815
Signed	823
49—Providing for a uniform policy to be used by all fire insurance companies doing business in the State of Iowa.	
Received	554
Referred	561
Reported	832
Considered	1086, 1087
Amended	1099
Considered	1099, 1100
Amendment reconsidered...	1109
Amendment lost	1109
Passed	1109, 1110
House refuses to concur...	1256
Passed on file.....	1270
Senate insists	1308
Conference committee appointed	1308, 1343
House adopts conference committee report	1381
Senate recesses	1381, 1382
Enrolled	1517
Signed	1518
50—Relating to rates of fraternal beneficiary societies.	
Received	360
Referred	367
Reported	451
Amended	549
Consideration deferred ..	549
Substitute offered	557
Substitute lost	557, 560
Passed	560
House concurs	666
Passed on file	670
Enrolled	671
Signed	673
52—Defining the liability of railroad and railway companies in the case of failure to transport live stock at a certain rate of speed.	
Received	302
Referred	303
Reported unfavorably	1101
Petition	552
59—To amend chapter sixty-eight (68) of the laws of the Thirtieth General Assembly of Iowa, relative to the establishment of levees, ditches, drains and water-courses, and to amend sections eleven (11) and fourteen (14).	
Received	204
Referred	205
Reported unfavorably	1136
Indefinitely postponed ..	1136
60—Amending a law which appears as chapter sixty-eight (68) of the laws of the Thirtieth General Assembly of Iowa, relative to the establishment of levees, drains, ditches and	

H. F.	Page.
water courses, and providing for the employment of counsel by the board of supervisors and for the defense of appeals, additional to Title X (10), chapter two (2) of the code and code supplement and laws of the Thirtieth General Assembly.	
Received	221
Referred	225
Reported unfavorably	1232
Indefinitely postponed ..	1233
61—Relating to liability of corporations operating railroads to their employees.	
Received	1197
Referred	1212
Reported unfavorably	1221
Indefinitely postponed ..	1221
63—To repeal section twenty hundred and fifty-seven (2057) of the code, relating to fences required to be constructed by railroad companies and enacting a substitute therefor.	
Received	738
Referred	748
Reported with amendment.	886
Amendment adopted	1048
Passed	1048, 1049
House concurs	1119
Passed on file.....	1134
Enrolled	1165
Signed	1171
65—To safeguard the traveling public and employes upon railroads by limiting the hours of service of employes thereon, providing for the filing of complaints, the investigation thereof, and the securing of evidence thereto, additional to chapter five (5), Title X (10) of the code.	
Received	392
Referred	400
Substitute reported	885
Substitute adopted	996, 997
Passed	997
House concurs	1160
Passed on file	1178
Enrolled	1208
Signed	1215
67—To amend section one thousand six hundred and seventy-five (1675) of the supplement to the code, relative to state aid for farmers' institutes.	
Received	586
Referred	590
Reported unfavorably	887
Indefinitely postponed ..	887
68—To amend section two thousand three hundred and forty-eight of the code, relative to bounties on wild animals.	
Received	203
Referred	204
Reported unfavorably	266
Indefinitely postponed ..	266

H. F.	Page.
70—To amend section one thousand four hundred and thirty-two (1432) of the code, relative to issuing duplicates of lost or destroyed tax sale certificates.	
Received	221
Referred	225
Recalled by House.....	232
Request for recall granted.	232
72—To amend section four thousand three hundred and forty-one (4341) of the code, relating to actions of mandamus.	
Received	240
Referred	241
Substitute reported	290
Substitute adopted and passed	296, 297
House concurs	400
Passed on file.....	410
Enrolled	444
Signed	465
73—To amend the law as the same appears in section one thousand three hundred four-a (1304-a) of the supplement of the code, relating to the exemption of property from taxation.	
Received	611
Referred	614
Reported	727
Passed	890
Enrolled	1040
Signed	1042
75—Making appropriations for swine barns with show rings, a steel constructed amphitheater and additional land at the Iowa State Fair and Exposition grounds.	
Received	857
Referred	880
Reported	888
Passed	1009
Enrolled	1040
Signed	1042
77—To prohibit the use and sale of toy pistols, firecrackers, dynamite caps and blank cartridges.	
Received	424
Referred	436
Reported with amendments.	515
Amendments adopted	607
Amended and passed.....	608
House concurs	680
Passed on file.....	690
Enrolled	712
Signed	712
79—Providing for the compilation of a roster of Iowa soldiers, sailors and marines 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 of soldiers, sailors and marines of other	

H. F.	Page.
states and territories living in Iowa, and making an appropriation therefor.	
Received	1010
Referred	1014
Reported unfavorably	1250
Report of committee not adopted	1452, 1453
Passed	1453, 1454
Enrolled	1517
Signed	1518
81—To amend section five hundred and twenty (520) of the code in relation to the examination of witnesses by the coroner and to provide a reporter to be appointed by the coroner at inquests and investigations.	
Received and referred.....	231
Substitute reported	368
Substitute adopted and passed	469
House concurs	547
Passed on file.....	554
Enrolled	616
Signed	608
88—To amend section four thousand one and twenty (4120) of the code, relative to the time for filing abstract in the Supreme Court.	
Received	859
Referred	881
Reported unfavorably	918
Indefinitely postponed	1080
91—Relative to the appointment of non-residents of the state as executors.	
Received	859
Referred	881
Reported unfavorably	916
Indefinitely postponed.....	1079, 1080
92—To amend the law as it appears in section sixteen hundred and sixty-one-a (1661-a) of the supplement to the code, relative to State aid to District or County Agricultural Societies.	
Received	391
Referred	399
Reported unfavorably	801
Indefinitely postponed	802
94—To provide for the admission of deaf and dumb persons to the School for the Deaf at Council Bluffs, and the maintenance thereof (amendatory of chapter eleven (11), Title XIII (13) of the code, relating to the School for the Deaf).	
Received	361
Referred	365
Reported unfavorably	922
Indefinitely postponed	922
95—To amend section one (1), chapter one hundred and twenty-two (122) of the laws of the Twenty-ninth General Assembly, relating to the support of the	

H. F.	Page.	H. F.	Page.
Iowa School for the Deaf at Council Bluffs.		House concurs	428
Received	231	Passed on file	437
Referred	231, 232	Enrolled	444
Reported unfavorably	396	Signed	465
Indefinitely postponed	396		
96—To amend sections seven hundred and ninety-two (792) of the code, relat- ing to street improvements and conferring on incor- porated towns the same power possessed by cities in respect thereto.		104—To enable courts in counties in which lawfully consti- tuted juries cannot be drawn, to provide for the preparation of new jury lists and for the drawing and summoning of juries therefrom.	
Received	204	Received	391
Referred	205	Referred	399
Recalled by House	359	Substitute reported	710
Request of House granted	364	Considered	711
		Consideration deferred	712
		Made a special order	712
		Substitute adopted	741
		Amended and passed	741, 742
		Amended and passed House	783
		Passed on file	792
		Senate concurs	844, 845
		Enrolled	870, 871
		Signed	868
98—To amend the law as it ap- pears in sections one thou- sand one hundred and thirty-seven-b (1137-b), one thousand one hun- dred and thirty-seven-f (1137-f) and one thou- sand one hundred and thirty-seven-g (1137-g), of chapter three-a (3-a), of the supplement to the code.		105—To prohibit combination among grain elevator men and to prohibit any per- son, company, partnership, association or corporation engaged in the business of grain dealing or owning or operating grain elevators from combining or enter- ing into any agreement, contract or trust to pool or fix the prices to be paid for grain or to prevent the free action of competition in the buying of grain, or the selling of grain, and to provide punishment for the same.	
Received	507	Received	391
Referred	511	Referred	399
Reported unfavorably	920	Reported with amendments	529
Indefinitely postponed	920	Amendments adopted	738, 739
		Passed	740
		House concurs	784
		Passed on file	791
		Enrolled	815
		Signed	823
100—Making appropriations for the State Normal School.		107—To repeal section eighteen hundred and sixty-nine (1869) of the code of Iowa, relating to pay of and loans to, officers of state and savings banks, and to enact a substitute therefor.	
Received	1197	Received	382
Referred	1212	Referred	383
Substitute reported	1349	Reported	565
Substitute adopted	1355	Amended	677, 678
Passed	1355, 1356	Consideration deferred	678
House concurs	1394	Amended and passed	706, 707
Passed on file	1402	House concurs	839
Enrolled	1445	Passed on file	853
Signed	1448	Enrolled	840
		Signed	844
101—Appropriating money to J. H. Cownie, Jr., R. R. Mc- Cutcheon and F. M. Hub- bell, as trustees, to reim- burse them for the funds advanced and used in the purchase of a tract of land for the state as an addi- tion to the State Fair Grounds.		108—Repealing section one thousand eight hundred and fifty-five (1855) of the code, and enacting a sub- stitute therefor, limiting the indebtedness of state and savings banks.	
Received	674	Received	750
Referred	691		
Reported with amendment	762		
Rereferred	896		
Reported	971		
Passed	1202, 1203		
Enrolled	1304		
Signed	1301		
102—To amend sections two thou- sand four hundred and six- ty-seven (2467) and two thousand four hundred and sixty-eight (2468) of the code, relative to a penalty for violations thereof.			
Received	204		
Referred	205		
Reported with amendment	216		
Rereferred	258		
Substitute reported	267		
Substitute adopted and passed	279, 280		

H. F.	Page.	H. F.	Page.
Referred	769	Received	458
House requests return of...	1117	Referred	459
Passed on file.....	1132	Reported unfavorably.....	1233
Reported unfavorably	1180	Indefinitely postponed.....	1233
Indefinitely postponed.....	1180		
111—To define and punish lewd, immoral and lascivious acts and to provide penalty therefor.		128—To amend sections twenty- five hundred and twenty- nine (2529), twenty-five hundred and thirty (2530) and twenty-five hundred and thirty-four (2534) of the code, and to re- peal and enact substitutes for sections twenty-five hundred and thirty-three (2533) and twenty-five hundred and thirty-eight (2538) thereof, relating to the State Veterinary Surgeon.	
Received	240	Received	654
Referred	241	Referred	663
Reported with amendments.	377	Reported	846
Amended	517, 518	Passed	1191, 1192
Motion to reconsider amend- ment	518	Enrolled	1279
Consideration deferred	518	Signed	1290
Motion to reconsider with- drawn	531		
Passed	536	130—To amend section three hun- dred and eight (308) of the supplement to the code, as amended by chap- ter eleven (11), acts of the Thirty-first General As- sembly, relating to the compensation of county attorneys.	
House concurs	576	Received	674
Passed on file.....	581	Referred	691
Enrolled	616	Reported	726
Signed	608	Amended	995
114—To legalize certain acknowl- edgements and administra- tions of oaths.		Passed	996
Received	260	House refuses to concur....	1199
Referred	265	Passed on file.....	1213
Reported	411	Senate insists	1276
Passed	478	Conference committee ap- pointed	1278
Enrolled	616	House adopts conference committee report and amendments	1308
Signed	608	Passed on file.....	1319
118—To amend section two thou- sand six hundred and two (2602) of the code, relat- ing to admission of per- sons to the Soldiers' Home.		Report of conference com- mittee	1319
Received	301	Report and amendments adopted	1320
Referred	303	Enrolled	1415
Reported with amendment..	493	Signed	1415
Amendment adopted	736		
Amended and passed....	736, 737	131—To amend section four hundred and twenty-two (422) of the code, relative to the power of boards of supervisors and granting t h e r e u n t o additional powers.	
House concurs	839	Received	221
Passed on file.....	853	Referred	225
Enrolled	840	Substitute reported	306
Signed	844	Substitute adopted and passed	370
119—Making an appropriation to defray expenses of inaug- ural ceremonies.		House concurs	480
Received	211	Enrolled	530
Referred	214, 215	Signed	537
Reported with amendment..	242		
Amended and passed....	242, 243	138—Making an appropriation for the erection of a monu- ment in Elmwood ceme- tery, DeWitt, Iowa, in commemoration of the memory of one John Lep- per, and providing the method of such erection.	
House concurs	271		
Passed on file.....	278		
Enrolled	349		
Signed	351		
124—To establish an Industrial Reformatory for Females, to make appropriations therefor, and to provide for the transfer of in- mates to and from the Industrial School for Girls.			
Received	1351		
Referred	1361		
Reported unfavorably	1409		
Indefinitely postponed	1409		
125—To repeal section two thou- sand four hundred and seventy-four (2474) of the code, relating to re- ports and returns to the Bureau of Labor Statis- tics and to enact a sub- stitute therefor.			

H. F.	Page.
Received	479
Referred	489
Reported unfavorably	1408
Indefinitely postponed	1409
 140—To regulate the conduct of all employment offices or bureaus and provide for the examination of such offices or bureaus, and fixing a penalty for the violation of the provisions thereof.	
Received	361
Referred	366
Reported	365, 503
Passed	926
Enrolled	1040
Signed	1042
 141—To amend section two thousand four hundred and eighty-three (2483) of the supplement to the code.	
Received	750
Referred	769
Reported with amendment	1000
Rereferred	1052
Reported without recommendation	1098
Amended and passed	1188, 1189
House concurs	1235
Passed on file	1243
Enrolled	1279
Signed	1290
 143—To indemnify Charles H. Tribby for damages caused by sewage from the State Hospital for Insane at Mt. Pleasant, Iowa.	
Received	685
Referred	690
Reported with amendments and re-referred	726
Reported with amendments	801
Amendments adopted	1008
Amended and passed	1008
House concurs	1119
Passed on file	1134
Enrolled	1165
Signed	1171
 145—To legalize conveyances of real estate by executors, administrators and guardians in this or foreign states.	
Received	391
Referred	400
Reported unfavorably	568
Rereferred	921
Reported with amendments	989
Amendments adopted	1080, 1081
Passed	1081
House concurs	1118
Passed on file	1133
Enrolled	1165
Signed	1171
 147—To legalize the action of the city council of LeMars, Iowa, in allowing certain sums of money to the volunteer fire department of said city; in allowing certain sums of money to the Grand Army Post and instructor for a band, in allowing to the members of the council of said city a sum claimed to be in excess of that provided by law.	

H. F.	Page.
Received	507
Referred	511
Reported unfavorably	571
Indefinitely postponed	765
 150—To amend section four hundred and thirty-two (432) of the code, pertaining to meetings of Soldiers' Relief Commission.	
Received	457
Referred	459
Reported	493
Passed	653
Enrolled	815
Signed	823
 151—To prevent the desecration of Memorial Day and provide a penalty therefor.	
Received	301
Referred	303
Reported with amendments	451
Amendments adopted	625, 626
Passed	627
House concurs	695
Passed on file	702
Enrolled	712
Signed	712
 156—To amend section seven hundred and seventy-one (771) of the code supplement and section one (1), chapter twenty-nine (29) of the acts of the Thirtieth General Assembly, relating to the construction of viaducts.	
Received	351
Referred	354
Reported with amendments	662
Amendments adopted	956, 957
House concurs	1118
Passed on file	1133
Enrolled	1165
Signed	1171
 157—To amend section fifteen (15), chapter one hundred and twenty-two (122), laws of the Thirty-first General Assembly.	
Received	361
Referred	365
Reported unfavorably	583
Indefinitely postponed	583
 158—To amend section twenty-six hundred and twenty-nine (2629) of the supplement to the code; section twenty-six hundred and thirty-one (2631) of the code; and section twenty-six hundred and thirty-four-a (2634-a) of the supplement to the code, relating to the powers and duties of the State Educational Board of Examiners.	
Received	360
Referred	365
Reported unfavorably	583
Indefinitely postponed	583
 161—To appropriate money for the purpose of erecting a monument over the grave of a Revolutionary soldier buried at Center Point, Linn county, Iowa.	

H. F.	Page.	H. F.	Page.
Received	479	178—To amend section one thousand one hundred and seventy-seven (1177) of the code, relative to the time of qualifying for office.	
Referred	489	Received	240
Reported unfavorably	1407	Referred	241
Indefinitely postponed	1408	Reported unfavorably	265
164—To amend section seven hundred (700) of the supplement to the code, relating to the licensing and regulation of keepers of intelligence or employment offices.		Indefinitely postponed	266
Received	350	179—To amend chapter one hundred eighty-six (186) of the laws of the Thirtieth General Assembly, relating to meandered lake beds and enlarging the meaning of "a bona fide purchaser" under section seven (7) of this act.	
Referred	354	Received	362
Reported with amendment ..	443	Referred	366
Amendment adopted	534	Reported	398
Passed	534, 535	Passed	466, 467
House concurs	576	Enrolled	530
Passed on file	581	Signed	537
Enrolled	616	180—Entitled an act to regulate demurrage and storage charges and to prevent delays in furnishing cars and in the transportation and delivery by railroads of freight other than live stock and providing penalties for violation thereof.	
Signed	608	Received	674
168—To amend the law as it appears in section sixty-five (65) of the supplement to the code and to amend sections, eighty-eight (88), ninety-nine (99) and one hundred and sixteen (116) of the code, relating to the compensation of secretary to the Governor, the Deputy Secretary of State, the Deputy Auditor of State, and the Deputy Treasurer of State.		Referred	691
Received	601	Reported unfavorably	1172
Referred	613	192—Making an appropriation for the salary and expenses of state agents and other expenses incurred under chapter one hundred and eighty-one (181) of the acts of the Thirty-third General Assembly.	
Reported with amendments ..	1127	Received	457
Rereferred	1127	Referred	459
Reported with amendments ..	1321	Reported with amendment ..	584
Amendments adopted ..	1322-1324	Amendment adopted	630
Amended and passed ..	1324, 1325	Passed	630, 631
Explanation of vote	1325	House concurred	695
House concurs	1370	Passed on file	703
Passed on file	1373	Enrolled	712
Enrolled	1433	Signed	712
Signed	1432	197—To legalize the acts of the city of Bedford, Taylor county, Iowa, in the adoption of the "revised ordinances" of said city and establishing a permanent grade and annexation of territory thereto.	
171—To amend section one thousand three hundred and seventy-three (1373) of the code, relating to the correction of erroneous assessments.		Received	612
Received	507	Referred	615
Referred	511	Reported	622
Substitute reported	599	Passed	955, 956
Substitute adopted	751	Enrolled	1040
Amended and passed ..	751, 752	Signed	1042
House refuses to concur ..	828	201—To reimburse John F. Riggs, Superintendent of Public Instruction, for sums paid out by him on account of the State Educational Board of Examiners.	
Senate insists	1009	Received	362
Conference committee appointed ..	1009, 1037	Referred	366
House recedes and adopts amendments reported by conference committee ..	1321	Reported	394
Passed on file	1330, 1331		
Senate adopts report and amendments	1336		
Enrolled	1416		
Signed	1415		
173—Relating to the powers of local boards of health, amending section twenty-five hundred and sixty-eight (2568) of the code.			
Received	1038		
Referred	1059		
Reported	1280		

HOUSE BILLS

1573

H. F.	Page.
*Passed	421, 422
*Erroneously printed House File No. 21.	
Enrolled	444
Signed	465
 202—To amend section thirteen hundred four (1304) of the code, relating to exemptions from taxation.	
Received	694
Referred	702
Reported with amendment..	905
Consideration postponed...	965
Amendment adopted	972
Passed	973
House concurs	1118
Passed on file.....	1133
Enrolled	1165
Signed	1171
 204—To amend section seven hundred seventy-six (776) of the code, relating to the publication of notices of questions submitted to the voters of cities and incorporated towns.	
Received	362
Referred	366
Reported	442
Amended and passed... 609,	610
House concurred	695
Passed on file.....	703
Enrolled	713
Signed	712
 207—To repeal section four hundred and fifty-eight (458) and four hundred and fifty-nine (459) of the code, and to enact a substitute therefor, relating to taxation of dogs and injuries to domestic animals.	
Received	751
Referred	770
Reported and rereferred	971, 972
Reported	1067
Passed	1088
Enrolled	1165
Signed	1171
 209—To provide for the assessment and taxation of rural and farm telephone lines, and amendatory and additional to chapter one (1), Title VI (6) of the code of Iowa.	
Received	362
Referred	366
Reported unfavorably	461
Indefinitely postponed	461
 211—To legalize the making of certain plats made by the county auditors of Iowa or by the county surveyor for the owner, and the recording of the same by the county recorders of Iowa and to legalize the descriptions of land in all instruments, conveyances and instruments referring thereto.	
Received	350
Referred	354
Reported with amendments.	367
Amended and passed ... 420,	421

H. F.	Page.
House concurs	479, 480
Passed on file.....	490
Enrolled	530
Signed	537
 212—Providing for the examination and firing of shots in mines where shooting and blasting is done (additional to chapter nine (9) of Title XII (12) of the supplement to the code) and to repeal section two thousand four hundred ninety-five-C (2495-C) of the supplement to the code.	
Received	602
Referred	613
Reported unfavorably	1218
Indefinitely postponed	1218
Motion to reconsider lost... 1239	
 217—To amend the law as it appears in section one hundred and sixty-eight (168), providing for furnishing the Educational Board of Examiners with supplies and printing and for the payment of the expenses of the Educational Board of Examiners.	
Received	520
Referred	524
Reported unfavorably	533
Indefinitely postponed	533
 220—To repeal sections two thousand and seventy-six (2076) and two thousand and seventy-seven (2077) of the code, and to enact substitutes therefor, relative to classification of railroads and passenger transportation charges thereby.	
Received	271
Referred	278
Reported with amendments.	422
Made a special order.....	446
Amended	498
Passed	499
House concurs	520, 521
Passed on file.....	524
Enrolled	530
Signed	537
 222—To amend section two thousand eight hundred and twenty-three-o (2823-o) of chapter fourteen-c (14-c) of the supplement to the code, relating to the distribution of books in school districts.	
Received	424
Referred	436
Reported unfavorably	461
Indefinitely postponed	462
 228—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 safeguarding of machinery.	

H. F.	Page.
Received	424
Referred	436
Reported	503
Considered	787, 788
Substitute offered	904
Substitute amended	904, 905
Consideration deferred	905
Substitute adopted	927
Amended and passed	927
Amended and passed House	1198
Passed on file	1213
Considered	1267
Referred to sifting committee	1268
231—To repeal section four thousand six hundred (4600) of the code, relative to the accounting for fees and compensation of justices of the peace and constables, and to enact in lieu thereof the following.	
Received	1138
Referred	1173
Reported with amendments	1234
Referred to sifting committee	1234
Amendments adopted	1405, 1406
Passed	1406
House concurs	1427
Passed on file	1433
Enrolled	1471
Signed	1468
238—To legalize county certificates issued by county superintendents prior to October 1, 1906, and to declare the rights of the holders thereof.	
Received	794
Referred	799
Reported unfavorably	1218
Indefinitely postponed	1218
239—To amend section one thousand seven hundred and sixty-eight (1768) of the code, relating to life insurance companies.	
Received	362
Referred	366
Reported	451
Passed	925, 926
Enrolled	1040
Signed	1042
242—To legalize the submission to the electors of Chickasaw county, Iowa, the question, viz: Shall the board of supervisors of Chickasaw county, Iowa, be empowered to expend and appropriate a sum not to exceed twenty-five thousand dollars (\$25,000) for the erection of a poorhouse for Chickasaw county, Iowa?	
Received	361
Referred	365
Reported with amendment	376
Amended and passed	382
House concurs	426
Passed on file	437
Enrolled	444
Signed	465

H. F.	Page.
243—To provide for the licensing of persons to hunt, pursue, kill and take wild animals, birds and game in the state, and the payment of such license fees into the state treasury for the use of the Fish and Game Warden, and the punishment of unauthorized persons for hunting, pursuing, killing and taking of any wild animals, birds or game within this state, and amending section twenty-five hundred and sixty-two (2562) of the code, relating to the Deputy Fish and Game Wardens.	
Received	783
Referred	790
Returned and referred to sifting committee	1293
244—To amend section three hundred and three-a (303-a) of the supplement to the code, relating to the compensation of assistant county attorneys.	
Received	1091
Referred	1095
Returned and referred to sifting committee	1290
245—To legalize the incorporation of the town of Granger, Dallas county, Iowa, the election of its officers, the passage of all its ordinances and resolutions, and all acts done by the town council of said town.	
Received	361
Referred	366
Reported	398
Passed	468
Enrolled	531
Signed	537
247—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.	
Received	392
Referred	400
Reported unfavorably	411
Indefinitely postponed	641
251—To legalize the incorporation of the town of Bridgewater, Iowa, the election of its officers, the passage of its ordinances and resolutions and acts done by the city council in the adoption and enforcement of its ordinances and resolutions.	
Received	424
Referred	435
Reported with amendment	509
Amendment adopted	627
Passed	627, 628
House refuses to concur	693
Passed on file	701, 702

HOUSE BILLS

1575

H. F.	Page.
Senate recedes	1030, 1031
Enrolled	1103
Signed	1102
252—To repeal section twenty-eight hundred and fourteen (2814) of the code, and enact a substitute therefor, relative to the acquisition of school sites.	
Received	555
Referred	561
Reported	1217
Passed	1255, 1256
Enrolled	1364
Signed	1365
260—To amend section two thousand six hundred twenty-eight (2628) of the code and section seventeen (17), chapter one hundred twenty-two (122), laws of Thirty-first General Assembly, relating to the support of county teachers' institutes.	
Received	602
Referred	613
Reported unfavorably	696
Indefinitely postponed	696
Petition	540
263—To amend section two thousand one hundred and fifty (2150) of the code, relating to the transportation of pupils, students instructors to and from schools.	
Received	533
Referred	537, 538
Returned and referred to sifting committee	1378
264—Creating a legislative reference department of the State Library, providing for assistants therein and making an appropriation therefor.	
Received	693
Referred	701
Reported unfavorably	803
Indefinitely postponed	803
266—To repeal section two thousand five hundred and seventy-eight (2578) of the code, and to enact a substitute therefor, relating to the revocation of physicians' certificates.	
Received	925
Referred	936
Reported with amendment	971
Amendment adopted	1036
Made a special order	1037
Amended	1111, 1112
Passed	1112, 1113
House concurs	1235
Passed on file	1243
Enrolled	1279
Signed	1290
268—To define and regulate the practice of optometry and for the creation of a Board of Examiners in Optometry.	

H. F.	Page.
Received	1072
Referred	1073, 1074
Reported unfavorably	1229
Indefinitely postponed	1229
269—To amend section twenty-four hundred and fifty-two (2452) of the code of Iowa, relating to the securing of petitions of general consent.	
Received	555
Referred	561
Reported unfavorably	889
Indefinitely postponed	1050, 1051
270—To amend sections five (5) and six (6) of chapter one hundred and eighty-six, laws of the Thirtieth General Assembly, relating to the meandered lake beds in the state, and authorizing the Executive Council to survey and sell the same.	
Received	479
Referred	489
Reported unfavorably	568
273—To require an annual apportionment and accounting of surplus of life insurance companies.	
Received	783
Referred	792
Reported with amendments	1153
274—To require an annual apportionment and accounting of surplus of life insurance companies as to policies heretofore issued.	
Received	750
Referred	770
275—To prohibit misrepresentations by life insurance companies.	
Received	508
Referred	511
Reported	572
Passed	933
Enrolled	1041
Signed	1042
278—Authorizing towns and cities, including cities under special charters, to appropriate money to pay dues in the League of Iowa Municipalities, and to pay the actual expenses of delegates to the meetings of such league; additional to chapter three (3), Title V (5) of the code.	
Received	827
Referred	850
Reported and rereferred	888
Reported	915
Passed	1054, 1055
Enrolled	1165
Signed	1171
279—To repeal section one thousand one hundred and sixty-four (1164) of the code, in relation to recording abstracts of votes in the office of the secretary of state, and to enact a substitute therefor.	

H. F.	Page.	H. F.	Page.
Received	507	287—To amend the law as it ap-	
Referred	511	pears in section sixteen	
Reported	589	hundred ten (1610) of the	
Passed	935, 936	supplement to the code,	
Enrolled	1041	in relation to corporations	
Signed	1042	for pecuniary profit.	
280—To fix the place of bringing		Received	893
action against municipal		Referred	912
corporations in the State		Reported and rereferred....	1005
of Iowa in all counties		Reported and referred to	
where terms of the district		sifting committee	1222
court are held in more		Passed	1296, 1297
than one place.		Enrolled	1416
Received	508	Signed	1415
Referred	511	288—Making appropriations to	
Reported and rereferred. 583,	584	the State Historical So-	
Reported	599	ciety of Iowa.	
Passed	624	Received	693
Enrolled	671	Referred	701
Signed	673	Reported with amendments.	760
281—To appropriate not to exceed		Amendments adopted	1044
\$7,500 for experiments in		Passed	1045
animal breeding and feed-		House concurs	1119
ing.		Passed on file.....	1133
Received	611	Enrolled	1165
Referred	614	Signed	1171
Reported with amendments. 1097		290—For the better protection of	
Amendments adopted	1203	farm lands from the in-	
Amended	1203, 1204	fection of fowl seeds and	
Passed	1204	to require railroad and	
Title amended	1204	railway corporation to cut,	
House concurs	1274	burn, or otherwise entirely	
Passed on file.....	1294	destroy, certain noxious	
Enrolled	1364	weeds growing upon the	
Signed	1367	right of way.	
282—To repeal sections twenty-		Received	838
one hundred and fifty-		Referred	852, 853
three (2153) and twenty-		Passed	967, 968
one hundred and fifty-five		Enrolled	1041
(2155) of the code, relat-		Signed	1042
ing to joint freight rates		292—To repeal section one thou-	
over two or more connect-		sand six hundred ninety-	
ing lines of railway, be-		nine (1699) of the code,	
tween points within this		and enact a substitute	
state, and to enact substi-		therefor, in relation to in-	
tutes therefor.		vestment of funds of in-	
Received	837	surance companies other	
Referred	851	than life and organized	
Reported	883	under chapter four (4) of	
Passed	1017, 1018	the code.	
Enrolled	1103	Received	547
Signed	1102	Referred	554
283—To legalize the incorporation		Reported unfavorably	832
of the town of Linden,		Indefinitely postponed	833
Dallas county, Iowa, the		294—To legalize the incorpora-	
election of its officers, the		tion of the town of Clutier,	
passage, adoption and		Tama county, Iowa, the	
record of all of its ordi-		election of its officers, the	
nanances, resolutions and		passage and adoption of	
rules, and all acts done by		its ordinances and reso-	
the council of said town.		lutions and all acts done	
Received	458	by the officials of said	
Referred	459	town while acting as such.	
Reported	476	Received	479
Passed	504, 505	Referred	489, 490
Enrolled	531	Reported with amendments.	508
Signed	537	Amendments adopted	1020
286—To amend section seventeen		Passed	1021
hundred and eighty-nine		House concurs	1119
(1789) of the code, relating		Passed on file.....	1134
to the assignment of life		Enrolled	1165
insurance policies.		Signed	1171
Received	793	298—To amend chapter twenty-	
Referred	800	two (22) of the laws of	
Reported unfavorably	1021	the Thirty-first General	
Indefinitely postponed	1021	Assembly, relating to the	
		construction of hospitals.	

H. F.	Page.
Received	837
Referred	852
Reported	1024
Passed	1144, 1145
Enrolled	1208
Signed	1215
303—To repeal section three hundred and seventy-three (373), three hundred and seventy-four (374), three hundred and seventy-five (375) and three hundred and seventy-six (376) of the code, in relation to notaries public, and enact substitutes therefor; also to amend section sixty-eight (68) of the code, in relation to the registration of commissions.	
Received	858
Referred	880
Recalled and placed on calendar	914
Amended and passed	1277, 1278
House concurs	1318
Passed on file	1331, 1332
Enrolled	1445
Signed	1448
304—To transfer from the auditor of state to the treasurer of state all of the powers, duties and responsibilities relating to state and savings banks and loan and trust companies.	
Received	858
Referred	880
Recalled and placed on calendar	914
305—To transfer the duties, powers and authority granted to or enjoined upon the auditor of state under the provision of chapter thirty-four (34), acts of the Thirty-first General Assembly, relating to the publication of municipal accounts, establishing uniform system of accounts, reports and audits in cities and towns, from the auditor of state to the secretary of state.	
Received	858
Referred	880
Recalled and placed on calendar	914
306—Providing that owners or keepers of stallions or jacks shall have a lien upon the get of any such animal for the service fee thereof.	
Received	828
Referred	850
Reported unfavorably	1067
307—To amend section three hundred and fifty-four (354) of the code, relating to fees and mileage of jurors.	
Received	925
Referred	936
Reported unfavorably	1137
Indefinitely postponed	1137

H. F.	Page.
312—Authorizing the Executive Council to build walks and steps and making necessary repairs around the Capitol building and grounds and make an appropriation therefor.	
Received	611
Referred	614
Reported	648
Passed	737, 738
Enrolled	815
Signed	823
313—To repeal the law as it appears in chapter one hundred and 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 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 XXIV (24) of the code, relative to offenses against the public health.	
Received	858
Referred	880, 881
Reported unfavorably	1222
Indefinitely postponed	1222
315—To provide for agricultural extension work, for a correspondence school of agriculture by the Iowa State College of Agriculture and Mechanic Arts, and making appropriations therefor.	
Received	1196
Referred	1211
Reported with amendments	1350
Amendments adopted	1360, 1361
Passed	1361
Senate requests return	1375
House returns	1380
Passed on file	1384
Reconsidered	1414
Amendment withdrawn	1415
Amended and passed	1415
*House concurs	1427
Passed on file	1433
Enrolled	1450
Signed	1454
*Erroneously printed Senate File No. 315.	
318—Providing for reports and investigations of accidents on railways.	
Received	675
Referred	691
Reported	755
Passed	979, 980
Enrolled	1041
Signed	1042
323—To amend section fifteen hundred and sixty-six-a (1566-a), supplement to the code, relating to publication of reports.	

H. F.	Page.	H. F.	Page.
Received	793	342—To repeal section fourteen	
Referred	800	hundred and eighty-three	
Reported and rereferred...	828	(1483) of the code, relat-	
Reported unfavorably..	1055, 1056	ing to roads and highways,	
Indefinitely postponed	1056	and to enact a substitute	
		therefor.	
324—To repeal chapter ninety-		Received	828
eight (98), acts of the		Referred	850
Thirty-first General As-		Reported	972
sembly, and to enact a		Amended and passed..	1089, 1090
substitute therefor, rela-		House concurs	1117
tive to the registration		Passed on file.....	1133
and publication of pedi-		Enrolled	1165
grees.		Signed	1171
Received	533		
Referred	538	345—To amend section one thou-	
Reported	744	sand seven hundred and	
Passed	1043, 1044	forty-three (1743) of the	
Enrolled	1103	supplement to the code,	
Signed	1102	relative to the removal of	
		goods and merchandise	
333—To amend sections one hun-		covered by insurance.	
dred and fifty-six (156)		Received	586
and one hundred and		Referred	589, 590
fifty-seven (157) of the		Reported with amendments.	635
code, relating to the elec-		Amendments adopted ..	731, 732
tion and duties of the		Passed	732
secretary of the Execu-		House concurs	839
tive Council and defining		Passed on file.....	853
the duties of said secre-		Enrolled	840
tary, and to amend sec-		Signed	844
tions one thousand three			
hundred and seventy-		348—To amend the law as it ap-	
eight (1378) and one		pears in section twenty-	
thousand three hundred		six hundred and eight	
and eighty-two (1382) of		(2608) of the supplement	
the code.		to the code, relating to	
Received	1071	the Soldiers' Home at	
Referred	1073	Marshalltown.	
Recalled and placed on		Received	666
calendar	1087	Referred	670
Passed	1181, 1182	Reported with amendment..	
Enrolled	1364	740, 741
Signed	1365	Amendment adopted ..	776, 777
		Rereferred	777
338—To amend chapter one hun-		Reported	1096
dred and twenty (120),		Senate amendment stricken	
laws of the Thirty-first		out	1204, 1205
General Assembly, relat-		Passed	1205
ing to State Sanatorium		Enrolled	1304
at Iowa City, further de-		Signed	1301
fining the duties of the			
Board of Control regard-		350—To indemnify D. H. Fiest	
ing tuberculosis, and		for personal injury sus-	
making additional appro-		tained by him while em-	
priations.		ployed at the Hospital for	
Received	1138	the Insane at Independ-	
Referred	1173, 1174	ence, Iowa.	
Reported	1249	Received	1383
Passed	1342, 1343	Referred	1384
Enrolled	1445	Reported	1410
Signed	1448	Passed	1411
		Enrolled	1450
341—To repeal section seventeen		Signed	1454
hundred and seventy-four			
(1774) of the code, rel-		351—To amend section thirteen	
ating to valuation of		(13), chapter one hun-	
policies of life insurance		dred and sixty-six (166),	
companies and to enact a		laws of the Thirty-first	
substitute therefor.		General Assembly, relat-	
Received	827	to appropriation for the	
Referred	850	enforcement of pure food	
Recalled and rereferred...	1121	law.	
Reported with amendments.	1130	Received	1020
Amendments adopted	1251	Referred	1033
Passed	1251	Reported	1098
House refuses to concur...	1275	Passed	1209
Passed on file	1294	Enrolled	1304
Senate insists	1344	Signed	1301
Conference committee ap-			
pointed	1346, 1372		

H. F.	Page.
352—To grant officers and guards at the penitentiaries at Anamosa and Fort Madison an annual vacation of fifteen days with pay.	
Received	674
Referred	690
Reported	1026
Lost on passage	1065, 1066
Motion to reconsider filed ..	1072
Reconsidered	1166
Passed	1167
Enrolled	1279
Signed	1290

353—To amend the law as it appears in section twenty-two hundred and eleven (2211) of the supplement to the code, and section eighteen (18) of chapter ninety-one (91) of the acts of the Thirty-first General Assembly, and to repeal section twelve (12) of chapter seventy-seven (77) of the acts of the Thirtieth General Assembly, and section fourteen (14) of chapter ninety-one (91) of the acts of the Thirty-first General Assembly, and to enact substitutes therefor, and to provide for stoppage of compensation due officers and men of the Iowa National Guard for loss or damage to property issued to them by the state for military purposes.	
Received	1038, 1039
Referred	1059
Reported with amendments ..	1114
Referred	1254
Reported with same amendments ..	1288
Amended	1288, 1289, 1290
Passed	1290
House concurs	1313
Passed on file	1331
Enrolled	1445
Signed	1448

356—To punish burglary with explosives.	
Received	1082
Referred	1094
Reported	1141
Passed	1184, 1185
Title amended	1185
House concurs	1235
Passed on file	1243
Enrolled	1280
Signed	1290

358—To amend section two thousand seven hundred and seventy-one (2771) of the supplement to the code, relative to the filling of vacancies on the school board.	
Received	857
Referred	879
Reported	1074
Passed	1180, 1181
Enrolled	1280
Signed	1290

H. F.	Page.
360—To regulate the soliciting and using of proxies by insurance companies.	
Received	794
Referred	799
Reported	1089
Passed	1246, 1247
Enrolled	1304
Signed	1301

361—To limit the expenses of life insurance companies.	
Received	750
Referred	770

362—Repealing sections twenty-one hundred and sixtyfive (2165) and twenty-one hundred and sixty-six (2166) of the code, and enacting a substitute therefor, pertaining to express companies.	
Received	838
Referred	852
Reported	950
Amended and passed	990, 991
House concurs	1118
Passed on file	1133
Enrolled	1166
Signed	1171

363—To amend section three thousand one hundred and eighty-one (3181) of the code, relating to divorces and marriages of divorced persons.	
Received	641
Referred	646
Recalled and placed on calendar	662
Passed	734, 735
Enrolled	816
Signed	823

367—To amend section one thousand three hundred and three (1303) of the code as amended, relative to the assessment of taxes.	
Received	1436
Referred	1438

375—To regulate the charges of sleeping cars on all railroads in this state and to provide penalties for the violation thereof.	
Received	827
Referred	850
Reported unfavorably	1172
Indefinitely postponed	1172

376—Giving certain powers to the board of supervisors in relation to the alteration or straightening of highways, and to prevent the encroachment of streams thereon, and to condemn lands necessary for said purposes.	
Received	859
Referred	881
Reported	916
Passed	1079
Enrolled	1166
Signed	1171

H. F.	Page.
379—To prohibit common carriers of passengers from issuing, furnishing or giving free tickets, free passes, free transportation or discriminating reduced rates, except to certain described persons; to prohibit the acceptance or use of such free tickets, free passes, free transportation or discriminating reduced rates by any except certain described persons; providing a penalty for the violation of the act, also for annual reports and for the repeal of chapter ninety (90), laws of the Thirty-first General Assembly.	
Received	666
Referred	669, 670
Reported with amendments.	1102
Made a special order.....	1109
Amended	
1148, 1149, 1150, 1151, 1152.	1153
Consideration postponed ..	1153
Motion to reconsider vote on certain amendment	1159
Motion to reconsider ruled out of order	1161
Motion by which bill passed to third reading reconsidered	1161
Amendment reconsidered ..	1162
Amendment amended and adopted	1162, 1163
Passed	1164
Motion to reconsider filed..	1204
Reconsidered	1236, 1237
Amended and passed..	1237, 1238
House refuses to concur....	1319
Senate insists	1328, 1329
Conference committee appointed	1335, 1338
House refuses to adopt report of conference committee	1427
New conference committee appointed	1427, 1432
House adopts report and amendments of second conference committee	1488
Passed on file.....	1490, 1491
Report of conference committee	1491
Senate fails to adopt report and amendments	1493
Explanation of votes.....	1494
Motion to reconsider filed..	1494
Reconsidered	1501
Report and amendments adopted	1502
Explanation of vote.....	1502
Enrolled	1518
Signed	1518
380—To legalize the incorporation of the town of Garwin, Tama county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the officials of said town while acting as such.	
Received	788
Referred	791
Reported with amendment.	812

H. F.	Page.
Amendment adopted	1046
Passed	1046, 1047
House concurs	1117
Passed on file.....	1132
Enrolled	1166
Signed	1171
385—To amend section twenty hundred and twenty-two (2022) of the code, relating to cattle guards at private crossings of railways.	
Received	840
Referred	851
Reported	1100
Amended	1266
Passed	1267
House concurs	1318
Passed on file.....	1332
Enrolled	1376
Signed	1381
389—Amendatory of and additional to chapter fifteen (15) of the code and supplement to the code, relative to the care and propagation of fish.	
Received	839
Referred	851
Reported with amendment..	889
Amendment adopted	1051
Amended and passed.....	1051, 1052
House concurs	1118
Passed on file.....	1133
Enrolled	1166
Signed	1171
396—Defining bucket shop and bucket shopping, making it a crime to maintain and operate the same, and providing penalties for so doing.	
Received	837
Referred	853
Reported	1101
Passed	1192, 1193
Enrolled	1365
Signed	1365
398—To prohibit the service of certain male animals for breeding purposes within six hundred feet of a public school building during terms of schools, and providing penalties for a violation of this act.	
Received	857
Referred	879, 880
Reported unfavorably	1232
Indefinitely postponed	1232
401—To legalize the adoption of all ordinances, resolutions and rules enacted by the council of the town of Stockport, Van Buren county, Iowa, and all acts done by the council of said town.	
Received	788
Referred	791
Reported	812
Passed	966, 967
Enrolled	1041
Signed	1042

H. F.	Page.
402—To limit the expenses other than losses, of state mutual hail insurance associations, and to limit compensation to be paid to officers, agents and employees of such associations.	
Received	827
Referred	850
Reported with amendments	1023
Amendments adopted	1378
Amended	1378, 1379
Passed	1380
House refuses to concur...	1426
Senate insists	1433
Conference committee appointed	1433, 1440
House adopts report and amendments of conference committee	1505
Report not being signed by a majority of committee, president rules that it cannot be considered....	1505
403—To enlarge the powers and further define the duties of the Board of Railroad Commissioners.	
Received	838
Referred	852
Reported with amendments.	950
Amendments adopted	1295
Passed	1295, 1296
House concurs	1370
Passed on file.....	1373
Enrolled	1445
Signed	1448
404—To amend section one thousand five hundred and thirty (1530) of the supplement to the code, relating to county road fund and how it is paid out.	
Received	992
Referred	1005
Reported with amendments.	1105
Amendments adopted	1341
Passed	1341, 1342
House concurs	1371
Passed on file.....	1374
Enrolled	1445
Signed	1448
405—To amend section six hundred and seventy-four (674) of the supplement to the code, relating to compensation of assessors and deputies.	
Received	840
*Referred	851
Reported	1128
*Erroneously printed House File No. 403.	
407—Repealing section twenty-eight hundred and eighty-one (2881) of the code and section twenty-eight hundred and eighty-one-f (2881-f) of the supplement to the code and section six (6) of chapter one hundred and fourteen (114) of the acts of the twenty-eighth General As-	

H. F.	Page.
sembly, relating to employees in the State Library, fixing their salaries and providing for their bonds, and enacting a substitute therefor.	
Received	1258
Referred	1271
Reported with amendments.	1325
Amendments adopted	1326
Passed	1326, 1327
House concurs	1370, 1371
Passed on file.....	1373, 1374
Enrolled	1471
Signed	1468
408—To amend section three hundred and ten (310) of the supplement to the code, relating to qualification for admission to the bar.	
Received	859
Referred	881
Reported	918
Amended and passed..	1145, 1146
House concurs	1160
Passed on file.....	1177
Motion to reconsider filed..	1178
Motion to reconsider withdrawn	1456
Enrolled	1280
Signed	1290
411—To amend Title V (5), chapter nine (9) of the code and amendments thereto, relating to Park Commissioners.	
Received	1038
Referred	1059
Reported with amendments.	1224
Referred to sifting committee	1224
Amendments adopted ..	1332, 1333
Passed	1333, 1334
House concurs	1370
Passed on file.....	1373
Enrolled	1517
Signed	1518
414—To repeal section two thousand nine hundred and thirty-five (2935) of the code, and to enact a substitute therefor, relating to indexes to be kept by county recorders.	
Received	1138
Referred	1173
Reported and rereferred to sifting committee	1219
Passed	1263
Enrolled	1450
Signed	1454
420—To legalize the incorporation of the town of Humboldt (formerly Springvale), Humboldt county, Iowa, the election of its officers, the passage, adoption and enforcement thereof.	
Received	789
Referred	791
Reported	811
Passed	980, 981
Enrolled	1041
Signed	1042

H. F.	Page.	H. F.	Page.
421—To repeal section two thousand and twenty-six (2026) of the supplement to the code, and chapter eighty-seven (87) of the acts of the Thirty-first General Assembly, and to enact a substitute therefor, relating to street railways over highways.		435—Defining, regulating and conferring rights and powers upon automobile railways, additional to chapter four (4), Title X (10) of the code.	
Received	1082	Received	1196
Referred	1094	Referred	1211
Reported	1172	Recalled	1244
Amendments offered ..	1253, 1254	Substituted for Senate File No. 354	1244
Consideration postponed ..	1254	Passed	1244, 1245
Amended and passed ..	1271, 1272	Enrolled	1304
House concurs	1318	Signed	1301
Passed on file	1331		
Enrolled	1416	437—To repeal section four hundred and sixteen (416) of the code, relating to the division of a county by townships into supervisor districts, changing the time of such division from the regular meeting in June to the regular meeting in January.	
Signed	1415	Received	1139
		Referred	1176
424—To prevent the throwing or disposing of drugs or medicines as sample or otherwise in private or public places.		Reported unfavorably	1219
Received	837	Indefinitely postponed	1220
Referred	852		
Reported	1053	439—To repeal section two thousand seven hundred and forty-seven (2747) of the code, and to enact a substitute therefor, relating to qualified electors and the right to vote at school elections.	
Passed	1081, 1082	Received	1343
Enrolled	1166	Referred to Sifting Committee	1348
Signed	1171		
426—To encourage the propagation of Mongolian Ring Neck, English and Chinese pheasants, and to prohibit the killing thereof.		441—To amend subdivision seven (7) of section one thousand three hundred and four (1304) of the supplement to the code, relating to the exemption of property from taxation.	
Received	838	Received	1091
Referred	852	Referred	1095
Reported	890	Reported unfavorably	1171
Passed	1182, 1183	Indefinitely postponed	1171
Enrolled	1280		
Signed	1290	444—To legalize the acts done and the ordinances passed by the town council of Dexter, Dallas county, Iowa.	
427—To amend section two thousand seven hundred and seventy-seven (2777) of the code, relative to requirements of kindergarten teachers.		Received	1160
Received	857	Referred	1177
Referred	879	Reported	1219
Reported	1114	Passed	1261, 1262
		Enrolled	1376
429—For the relief of the grantees of James Seby Parsons, for the purpose of having a patent issued in the name of Cornelius De Geest for a certain tract of land.		Signed	1381
Received	857		
Referred	881	446—To amend section one (1), chapter eighty-five (85), acts of the Thirtieth General Assembly, relating to expenses of the Bureau of Labor Statistics.	
Reported	1136	Received	1381
Passed	1245, 1246	Referred	1384
Enrolled	1304	Passed	1395, 1396
Signed	1301	Enrolled	1450
433—To repeal section one thousand and ninety-one (1091) of the code, relating to polling places and their location, and enact in lieu thereof the following.		Signed	1454
Received	1196		
Referred	1211	447—To change the name of a certain river in northeastern Iowa.	
Recalled and referred to sifting committee	1265		

H. F.	Page.
Received	925
Referred	936
Reported	1137
453—To legalize the action of the Independent School District of Star No. 6 of Center Township, Wapello county, Iowa, and the Independent School District of Ottumwa, Iowa, consolidating the former with and merging it in the latter.	
Received	992
Referred	1004
Recalled and placed on calendar	1015
Passed	1034, 1035
Enrolled	1103
Signed	1102
455—To amend chapter eighty (80) of the acts of the Thirtieth General Assembly, relating to State Hospitals, relating to Inebriates, and to furnish additional provision in regard to commitments to and release from such hospitals.	
Received	1020
Referred	1033
Reported	1253
Referred to sifting committee	1253
Passed	1255
Enrolled	1471
Signed	1468
456—To amend section two thousand five hundred and thirty-three (2533) of the code, relating to the deputies of the State Veterinary Surgeon.	
Received	1373
Referred	1375
457—To create a commission to examine into the subject of taxation for state and local purposes, providing for their appointment, powers and the report of their findings and recommendations and making an appropriation therefor.	
Received	1011
Referred	1015
Reported unfavorably	1250
Indefinitely postponed	1250
458—To instruct the Attorney-General to investigate the operations of the International Harvester Company, with a view to prosecution and making an appropriation therefor.	
Received	1321
Referred	1331
Reported unfavorably	1350
Indefinitely postponed	1350
459—To provide for the appointment of a committee to investigate the needs of the three state educational institutions and report to the General Assembly.	

H. F.	Page.
Received	1337
Referred to sifting committee	1338
461—To create State Board of Osteopathic Examiners, and to provide for the registration of those entitled to practice osteopathy, and for the registration of the practice thereof, and providing penalties for the violation hereof.	
Received	1337
Referred to sifting committee	1338
460—Providing the manner of reporting telephone exchanges for assessment when not connected by intervening lines.	
Received	1198
Referred	1212, 1213
Returned and referred to sifting committee	1290
Passed	1307, 1308
Motion to reconsider filed	1311
462—To release and convey to Mary A. T. Sanders all right, title and interest of the State of Iowa in or to the following described real estate, to-wit: A strip of land situated in west end of lot 3 in section 3, township 79 north, range 6 west of the fifth P. M., in Johnson county, Iowa, and lying between the public highway known as the "Foster road" and the bank of the Iowa river, and extending north 150 feet from the east end of the Terrill dam, situated between lots 3 and 6, in said section 3, and south 150 feet from said dam.	
Received	1139
Placed on calendar	1174
Printed in Journal	1174
Passed	1260
Enrolled	1445
Signed	1448
463—To amend section three thousand five hundred and forty (3540) of the code, relating to the publication of original notices in actions against unknown defendants.	
Received	1195
Referred	1211
Reported and referred to sifting committee	1222
Passed	1262, 1263
Enrolled	1471
Signed	1468
464—To legalize the plat and dedication of the College addition, commonly known as First College addition, the Second College addition, Lathrop's addition and Johnson's addition	

H. F.	Page.	H. F.	Page.
		474—To amend section five hundred and sixty-two (5062) of the code, relative to penalty for combinations, pools and trusts.	
		Received	1197
		Referred	1212
		Reported and rereferred to sifting committee	1221
		Passed	1296
		Enrolled	1376
		Signed	1381
468—		475—To amend section two hundred and eighty-one of the code, relative to judges not to practice.	
Authorizing cities of the first class and cities under special charter having a population of fifteen thousand or over, to erect a city hall, to purchase the necessary ground therefor, and to levy a special tax for the purpose of paying for the same, and repealing chapter twenty-seven (27) of the laws of the Thirtieth General Assembly.		Received	1337
Received	1309	Referred to sifting committee	1338
Referred	1329	Amended	1515, 1516
Amendments adopted	1366	Passed	1516
Passed	1367	House concurs	1517
House concurs	1394	Passed on file	1517
Passed on file	1402	Enrolled	1518
Enrolled	1446	Signed	1518
Signed	1448		
469—		476—To repeal the law as it appears in section twenty-four hundred and three (2403) of the code, and section twenty-four hundred and three (2403) of the supplement to the code, and to enact a substitute therefor, relating to the selling or giving of intoxicating liquors to minors, intoxicated persons, or to persons in the habit of becoming intoxicated.	
Authorizing the State Board of Control of the State of Iowa to grant the right of way for an interurban or other railway over and across the lands of the Iowa State Hospital for the Insane at Mt. Pleasant, Henry county, Iowa, and to fix terms and conditions therefor.		Received	1337
Received	1196	Referred to sifting committee	1337
Referred	1212	Passed	1368
Recalled and referred to sifting committee	1258	Enrolled	1450
		Signed	1454
470—		477—To amend Title VI (6), chapter three (3) of the code, relating to elections.	
To legalize the incorporation of the town of Prairieburg, Linn county, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.		Received	1382
Received	1197	Referred	1384
Referred	1212	Passed	1401
Reported	1221	Senate requests return	1416
Rereferred to sifting committee	1221	Enrolled	1471
Passed	1231	Signed	1468
Passed	1259		
Enrolled	1471	479—To authorize and require street railways, and interurban railways operating street railways, to permit interurban railroads to use their tracks and terminal facilities, and to furnish power to interurban railroads in cities, and providing for fixing the compensation therefor, and authorizing street railways to furnish power to interurban railroads.	
Signed	1468	Received	1160
473—		Referred	1177
To legalize the annexation of certain territory to the city of Centerville, Appanoose county, Iowa, and the election of officers by said city as enlarged.		Recalled and rereferred	1203
Received	1197	Recalled and referred to sifting committee	1258
Referred	1212	Passed	1272, 1273
Substituted for Senate File No. 356	1246	Enrolled	1376
Passed	1246	Signed	1381
Enrolled	1304		
Signed	1301		

H. F.	Page.	H. F.	Page.
483—To legalize the acts of the town council of Bayard, Guthrie county, Iowa, votes of the electors thereof, and irregularities in a certain election held on March 25, 1907.		490—To amend section two thousand one hundred and sixteen (2116) of the code, relating to the duties of railroads as to furnishing transportation.	
Received	1351	Received	1394
Referred	1362	Referred	1402
Passed	1383	Consideration deferred.....	1439
Enrolled	1450	Amendment offered	1440
Signed	1454	Consideration deferred	1441
		Amendment adopted	1452
		Indefinitely postponed.....	1452
484—To reimburse George S. Mornin and Guy A. Feely for expenses incurred in the election contest from the Sixty-sixth Representative district of Iowa, and to pay sundry persons for services, per diem, mileage, and expenses rendered and incurred in connection with said election contest.		491—To legalize the orders, acts, proceedings and resolutions passed by the council of the town of Milford, Dickinson county in connection with submitting the proposition of granting a franchise to the Midland Telephone Company at the municipal election.	
Received	1351	Received	1373
Referred	1362	Referred	1375
Reported with amendment..	1409	Passed	1398
Amendment adopted...1409,	1410	Enrolled	1450
Passed	1410	Signed	1454
House concurs	1427		
Passed on file	1433	492—Amendatory of and additional to chapter fifteen (15) of the code and supplement to the code, relative to the care and propagation of fish.	
Enrolled	1471	Received	1436
Signed	1468	Referred	1437, 1438
486—To amend sections two thousand and eighty-four (2084), two thousand and eighty-five (2085), two thousand and eighty-six (2086), two thousand and eighty-seven (2087) and two thousand and ninety (2090) of the supplement to the code, relative to taxes in aid of railroads.		493—Increasing the powers and further defining the duties of the Board of Railroad Commissioners pertaining to the regulation, supervision and control of telegraph companies.	
Received	1436	Received	1436
Referred	1438	Referred	1438
489—Making provision to pay deficit in the fund of the State Board of Health bacteriological laboratory at Iowa City.		494—Amending an act passed by the Thirty-second General Assembly entitled "An act prohibiting the corrupt influencing of agents and officers acting in behalf of a principal in any business transaction."	
Received	1372	Received	1508
Referred	1375	Considered	1508
Reported without recommendation	1411, 1412	Passed	1509
Referred to sifting committee	1412	Enrolled	1518
*Returned to Senate by sifting committee	1419	Signed	1518
Passed	1457, 1458		
Enrolled	1518		
Signed	1518		

*Erroneously printed Senate File No. 489.

HOUSE JOINT RESOLUTIONS

RECEPTION AND ACTION

No.	Page.	No.	Page.
2—Proposing an amendment to the constitution of the State of Iowa, additional to section eighteen (18) of Article I (1) of said constitution.		Received	612
Received	612	Referred	615
Referred	615	Reported	846
Reported	939	Amended and passed...1194, 1195	1195
Passed	1083, 1084	House concurs	1274
Enrolled	1164	Passed on file.....	1294
Signed	1171	Enrolled	1304
4—Approving estimates of cost, plans and specifications of library buildings at Cedar Falls, Iowa.		Signed	1301
		6—Advising and recommending the conditional pardon of Jasper Mason.	
		Received	1299
		Passed on file	1307

HOUSE CONCURRENT RESOLUTIONS

RECEPTION AND ACTION

Relative to holding joint convention and inviting Governor to read his message to same. Received, 9; Senate concurs, 9, 10.	Publication of reports and history of southern battlefield monument commissions. Received, 922; referred, 938; reported with amendment, 1055; amended and adopted, 1178; House concurs in Senate amendment, 1235.
Relative to holding joint convention on Wednesday, January 23, at noon. Received, 123; passed on file, 123, 124; Senate concurs, 123.	Calling on chairmen of appropriation committee to furnish tabulated statements of appropriations recommended. Received, 1090; referred, 1094, 1095.
Publication of pocket edition of rules of Thirty-second General Assembly. Received, 195; referred, 199; reported with amendment, 268; Senate concurs and amends, 268; House concurs in Senate amendment.	Requesting Congress of the United States to give same rights and privileges to surviving members of Iowa Northern Border Brigade as given officers and soldiers of Civil War. Received, 1371; passed on file, 1374; Senate concurs, 1392.
Requesting Iowa members of congress to favor passage of an act to promote safety of employes and travelers upon railroads by limiting the hours of service of employes thereof. Received, 239; Senate concurs, 241.	Authorizing secretary of state to publish 5,000 copies of primary election law in pamphlet form, pocket size edition. Received, 1372; referred, 1374; Senate concurs, 1392.
Holding of joint session to observe Washington's birthday. Received, 403; Senate concurs, 410.	Requiring chief clerk of House and secretary of Senate and certain other employes of both houses to remain after adjournment to complete their work. Received, 1418; Senate concurs, 1418.
Publication of annual reports of Highway Commission. Received, 546; referred, 554; reported, 612; Senate concurs.	Relative to final adjournment. Received, 1458; Senate concurs, 1485.
Appointment of joint committee to draft resolutions on life and services of Frank T. Campbell. Received, 782; passed on file, 790; Senate concurs, 939.	

INDEX

	Page.
ABERNETHY, ALONZO—Regent State University.....	1385, 1386, 1387
ABSTRACTS—Persons and firms making, to give bond, Senate File No. 238.....	440
ACADEMY OF SCIENCES—Distribution of report, Senate File No. 276	553
ACCIDENTS—On railroads, House File No. 318.....	675
ACKNOWLEDGMENTS—Of conveyances or incumbrances, Senate File No. 163.....	238
To legalize certain, House File No. 114.....	260
ACTIONS—Against common carriers, Senate File No. 241.....	440
Against municipal corporations, Senate File No. 232.....	409
House File No. 280.....	508
Against unknown defendants, notice, House File No. 463.....	1195
Appearance term for certain, Senate File No. 185.....	289
Commencement of criminal, Senate File No. 281.....	564
For recovery of real estate, Senate File No. 35.....	129
Judgments in divorce, Senate File No. 66.....	155
Limitations for commencement of certain, Senate File No. 288....	579
Limitations of, Senate File No. 303.....	634
Limiting place of bringing certain, Senate File No. 155.....	213
Of mandamus, House File No. 72.....	240
Recording of, against unknown defendants to quiet title, Senate File No. 285.....	579
Relative to limitations of, Senate File No. 117.....	186
ADDITIONAL EMPLOYES—Appointment of, Concurrent Resolution.	7
Joint Resolution, fixing number and compensation of.....	114
Appropriation to pay, Senate File No. 102.....	183
ADJOURNMENT—Temporary, Concurrent Resolution.....	269, 364
Final, Concurrent Resolution.....	542, 1173, 1180, 1186, 1215, 1346
ADMINISTRATION—Of oaths, Senate File No. 130.....	200
To legalize certain administrations of oaths, House File No. 114..	260
ADMINISTRATORS—To legalize conveyances by, House File No. 145.	391
ADMISSION—To Soldiers' Home, House File No. 118.....	301
To School for Deaf, House File No. 94.....	361
To the bar, qualifications, House File No. 408.....	859
ADULTERATED—Stock foods, Senate File No. 18.....	119
Drugs, Senate File No. 31.....	128
Senate File No. 178.....	278
AGRICULTURAL COLLEGE—Appropriation for, Senate File No. 77	159
Senate File No. 253	502
Senate File No. 357	1098
House File No. 315	1196
Approving plans and estimates for new buildings, Senate Joint Res- olution No. 7.....	1476
Board of regents for, Senate File No. 84.....	164
Committee to visit, appointed.....	125
Report of.....	337
Special report of secretary of, submitted.....	73
Trustees of, elected.....	1385, 1386

	Page.
AGRICULTURAL AND TRAINING SCHOOLS—To establish—	
Senate File No. 176.....	264
Senate File No. 269.....	523
Senate File No. 313.....	689
AGRICULTURAL DEPARTMENT—(See Department of Agriculture.)	
AGRICULTURAL EXTENSION WORK—Appropriation—	
Senate File No. 178.....	278
House File No. 315.....	1196
AGRICULTURAL HIGH SCHOOLS—Petition—	
357, 456, 473, 491, 512, 563, 618, 688	688
AGRICULTURAL SOCIETIES—State aid for district or county—	
Senate File No. 72.....	158
To condemn property for fair purposes, Senate File No. 118.....	186
AGRICULTURE—Committee on, appointed.....	61
(See Committees, Standing.)	
To establish short course in, at Storm Lake, petition.....	358
ALASKA—Yukon-Pacific Exposition—Governor's message.....	15
Appropriation for exhibit at, Senate File No. 282.....	564
ALLEN, JOSEPH H.—Senator Fiftieth Senatorial District.	
On standing committees: Printing, chairman; Ways and Means;	
Judiciary; Agriculture; Railroads; Banks; Congressional and	
Judicial Districts; Military.	
Appointed on special committee.....	1308
Appointed teller.....	1385
Asks unanimous consent.....	159
Draws seat No. 9.....	4
Entitled to a seat.....	2
Files motion to reconsider.....	720
Introduces Senate Files Nos. 9, 27, 28, 54, 74, 75, 76, 100, 125, 155,	
156, 258, 259, 260, 319, 327, 344, 354.	
Leave of absence.....	238, 522
Makes request.....	106, 112, 131, 913
Mileage due.....	47
Motions by.....	105, 139, 160, 178, 209, 219, 268, 424,
466, 467, 470, 481, 640, 650, 651, 677,	
683, 685, 706, 712, 716, 721, 733, 741,	
770, 771, 772, 773, 774, 874, 954, 935,	
980, 1018, 1019, 1086, 1123, 1124, 1125, 1169,	
1178, 1244, 1261, 1310, 1368, 1369, 1370, 1378, 1452	1452
Offers amendment.....	1100
Offers resolution.....	139
Present at joint conventions.....	11, 43, 51, 132, 1385
Presents petitions.....	276, 277, 358, 387, 456, 522, 1032, 1132
Qualified.....	3
Presides.....	1297
Raises point of order.....	1407
Signs certificates of election of certain trustees, as teller....	1387-1390
Submits report of committee.....	155, 268, 394, 571, 572, 612, 635, 1055
ALLEN, REV. HERBERT O.—Officiates as chaplain.....	491
AMPHITHEATER—For State Fair Grounds, Senate File No. 94....	173
House File No. 75....	857
ANAMOSA—To legalize acts of council of, Senate File No. 46.....	144
ANIMALS—Bounties on wild, House File No. 68.....	203
Cruelty to, Senate File No. 123.....	192
Taxation of dogs, etc., House File No. 207.....	751
ANTI-PASS BILLS—Senate File No. 93.....	167
House File No. 379.....	666
Petition for.....	172, 277, 689
APPANOSE COUNTY—To legalize acts of supervisors, Senate File	
No. 64.....	154

	Page.
APPEALS—To supreme court in criminal cases, Senate File No. 141	202
Senate File No. 352	1033
Civil cases, Senate File No. 144	202
Consideration of appealed criminal cases, Senate File No. 148.....	203
Reversal of appealed criminal cases, Senate File No. 150.....	203
APPLEGATE, JACOB W.—For relief of grantees of, Senate File No. 87	165
APPROPRIATIONS—Committees on, appointed.....	61
(See Committees, Standing.)	
APPROPRIATIONS, PROPOSED—	
For additional employes of Thirty-second General Assembly, Senate	
File No. 102.....	183
Agricultural and Training School, Senate File No. 176.....	264
Senate File No. 269.....	523
Senate File No. 313.....	689
Agricultural College, Senate File No. 77.....	159
Senate File No. 253.....	502
Senate File No. 357.....	1098
House File No. 315.....	1196
Agricultural extension work, Senate File No. 177.....	278
House File No. 315.....	1380
Alaska-Yukon-Pacific Exposition, Senate File No. 282.....	564
Amphitheater and swine pavilion on Fair Grounds—	
Senate File No. 94.....	173
House File No. 75.....	857
Board of regents for educational institutions, Senate File No. 84	164
Boiler for heating plant, Senate File No. 367.....	1247
College for the Blind, Senate File No. 137.....	201
Senate File No. 360.....	1099
Contest election expenses, Mornin-Feely, House File No. 484.....	1351
Dam and fishing at Silver Lake, Senate File No. 264.....	523
Enforcement of pure food law, House File No. 351.....	1020
Expenses of Taxation Commission, House File No. 457.....	1011
Expenses of battlefield monument dedications, Senate File No. 158.	214
Experiments in animal breeding and feeding, House File No. 281..	611
Fish and Game Commission, Senate File No. 106.....	184
Governor's mansion, Senate File No. 6.....	110
For historical, memorial and art building, Senate File No. 182....	288
Hospital for Inebriates, Senate File No. 131.....	201
Senate File No. 286.....	579
Senate File No. 360.....	1099
Hospital for Insane, Cherokee, Senate File No. 147.....	203
Senate File No. 360.....	1099
Clarinda, Senate File No. 151.....	213
Senate File No. 360.....	1099
Independence, Senate File No. 149.....	203
Senate File No. 360.....	1099
Mount Pleasant, Senate File No. 153.....	213
Senate File No. 220.....	389
Senate File No. 360.....	1099
Inaugural expenses, House File No. 119.....	211
Industrial Reformatory for Females, House File No. 124.....	1351
Industrial School, Eldora, Senate File No. 134.....	201
Senate File No. 360.....	1099
Mitchellville, Senate File No. 133.....	201
Senate File No. 360.....	1099
Inspectors of weights and measures, Senate File No. 319.....	747
Institution for Feeble-Minded, Senate File No. 172.....	255
Senate File No. 360.....	1099
Investigation of freight rates, Senate File No. 224.....	390
Mileage and expenses of visitation committees, Senate File	
No. 97.....	174

APPROPRIATIONS, PROPOSED—Continued.		Page.
Monument for grave of Nathan Winton, Senate File No. 110.....		185
John Lepper, Senate File No. 124.....		192
House File No. 158.....		479
Ex-Gov. W. M. Stone, House File No. 11..		221
Indian Chief Black Hawk, Senate File No. 168		254
Revolutionary soldier buried at Center Point, House File No. 161.....		479
Isaac Mason, Senate File No. 266.....		523
Ansel Briggs, Senate File No. 298.....		594
Penitentiary, Anamosa, Senate File No. 135.....		201
Senate File No. 360.....		1099
Fort Madison, Senate File No. 161.....		224
Senate File No. 360.....		1099
Public archives, preservation of, Senate File No. 26.....		121
Purchase of case for Spanish-American war flags, Senate File No. 49.....		148
Purchase of case for Spanish-American war flags, Senate File No. 245		457
Purchase of certain lots near Capitol, Senate File No. 251.....		492
Railroad Commissioners' maps, Senate File No. 32.....		128
Repairs to walks and grounds of Capitol, House File No. 312.....		611
Redecoration of Senate Chamber, Senate File No. 366.....		1247
Roster of Iowa soldiers, Senate File No. 43.....		143
House File No. 79.....		1010
School for the Deaf, Senate File No. 139.....		202
Senate File No. 360.....		1099
Soldiers' Home, Senate File No. 173.....		264
Senate File No. 360.....		1099
Soldiers' Orphans' Home, Senate File No. 138.....		201
Senate File No. 360.....		1099
State agents, salaries and expenses, Senate File No. 129.....		200
House File No. 192.....		457
State Historical Society, Senate File No. 217.....		375
House File No. 288.....		693
State institutions under Board of Control, Senate File No. 360....		1099
State and judicial officers, Senate File No. 575.....		1494
State Normal School, Senate File No. 7.....		113
Senate File No. 77.....		159
Senate File No. 359.....		1099
House File No. 100.....		1197
State Poultry Association, Senate File No. 260.....		514
State University, Senate File No. 77.....		159
Senate File No. 209.....		363
Senate File No. 358.....		1098
Statue of James Harlan in Statuary Hall, Senate File No. 183....		288
Storage building for paper, etc., Senate File No. 367.....		1247
Taxation Commission, Senate Joint Resolution No. 4.....		686
To enforce pure food law, Senate File No. 317.....		726
To establish board of parole, etc., Senate File No. 30.....		122
To indemnify D. H. Fiester, Senate File No. 268.....		523
House File No. 350.....		1383
C. T. Jones, Senate File No. 301.....		607
Charles H. Tribby, Senate File No. 95.....		173
House File No. 145.....		685
To reimburse J. H. Cownie, et al, Senate File No. 80.....		159
House File No. 101.....		674
Certain parties at Iowa City, Senate File No. 73....		158
J. W. Cliff, Senate File No. 252.....		502
S. B. Humbert, Senate File No. 226.....		390

APPROPRIATIONS, PROPOSED—Continued.	Page.
J. W. McAhren, Senate File No. 334.....	883
J. H. Riggs, Senate File No. 132.....	201
House File No. 201.....	362
To repair Capitol walks and steps, Senate File No. 219.....	389
Tuberculosis sanitarium, Senate File No. 254.....	502
House File No. 338.....	1138
ARCHIVES—Preservation of, Senate File No. 26.....	121
ARTICLES OF INCORPORATION—Approval of, Senate File No. 127	200
House File No. 287	893
Relative to, Senate File No. 243.....	441
ARTHUR, GLEN—Messenger.....	99
ASSESSMENT—Of taxes, relative to, Senate File No. 67.....	157
Of farm telephone lines, House File No. 209.....	362
Of express companies, Senate File No. 349.....	1005
ASSESSMENT LIFE COMPANIES—Reincorporation of, as legal re-	
serve companies, Senate File No. 12.....	118
House File No. 48.....	169
ASSESSMENTS—Correction of erroneous, Senate File No. 112.....	185
House File No. 171.....	507
Special, in cities and towns, Senate File No. 205.....	359
House File No. 96.....	204
Senate File No. 48.....	148
ASSESSORS—To report deaths, Senate File No. 289.....	579
Compensation, House File No. 405.....	840
ASSIGNMENT OF MORTGAGES—Fee for indexing, Senate File No.	
40.....	143
ASSIGNMENT OF COMMITTEE ROOMS—Committee to make—	
Appointed.....	100
Report of.....	109
ASSISTANT COUNTY ATTORNEYS—Compensation, House File No.	
244.....	1091
ASSISTANT DOORKEEPERS—Elected and qualified.....	1, 5, 6
ASSISTANT SECRETARIES—Of the Senate, elected and qualified—	
1, 5, 6	
Concurrent Resolution requiring, to remain after adjournment..	1418
ASSUMPTION OF RISK—Relative to, Senate File No. 236.....	409
Petition.....	578
ATTORNEYS—Appointed by court, compensation, Senate File No. 146	203
AUDITOR OF STATE—Compensation of deputy, Senate File No. 122	192
House File No. 168	601
Banking department transferred to Treasurer of State, Senate File	
No. 257.....	503
Public accounting transferred to Secretary of State, Senate File	
No. 256.....	502
Statement of County Treasurers' account with State Treasurer,	
Senate File No. 315.....	720
AUTOMOBILE RAILWAYS—Rights and powers—	
Senate File No. 354.....	1056
House File No. 435.....	1196
AUTOMOBILES—Relative to, Senate File No. 206.....	359
BACTERIOLOGICAL LABORATORY—Governor's message.....	19
Petition for appropriation for.....	212, 264, 276,
287, 299, 300, 358, 386, 387, 388, 439, 456	
Appropriation for deficit, House File No. 489.....	1372
BADGES—Secretary instructed to procure for certain officers.....	7
BAGGAGE—Liability of common carriers for, House File No. 18.....	838
BAKER, KATHERINE—Committee clerk.....	117

	Page.
BANKS—Committee on, appointed.....	62
(See Committees, Standing.)	
Deposits not to be received by insolvent, Senate File No. 65.....	155
Limiting indebtedness of state and savings, Senate File No. 74..	158
House File No. 108..	750
Pay of, and loans to, officers of state and savings—	
Senate File No. 75.....	158
House File No. 107.....	382
Protection of creditors who deposit money in, Senate File No. 39..	143
Publication of reports of, Senate File No. 134.....	289
Quarterly statement of state and savings, Senate File No. 76.....	159
To act in fiduciary capacity, Senate File No. 291.....	591
BATTLEFIELD MONUMENT DEDICATION—Expenses of, Senate File	
No. 158.....	214
Publication of history of, Concurrent Resolution.....	922
BAYARD—To legalize acts of, House File No. 483.....	1351
BECKERMAN, REV. FRANK F.—Officiates as chaplain.....	106
BEDFORD—To legalize acts of town of, House File No. 197.....	612
BELL, THEO.—Janitor cloak room, elected and qualified.....	5, 6
BELMOND—To legalize election in, Senate File No. 370.....	1306
BENEDICT HOME—Petitions asking appropriation for...102, 103,	
118, 276, 388, 456,	689
BENNETT, J. CARROLL—Messenger.....	1, 101
BENSON, REV. E.—Officiates as chaplain.....	1132
BESTOW, SAMUEL L.—Concurrent Resolution providing for drafting	
resolutions on life of.....	39
Committee appointed.....	42, 103
Report of.....	1311
Remarks made by Senators McKlveen, Jamieson and Moon..	1312-1315
Resolutions.....	1311
BEYER, REV. E. G.—Officiates as chaplain.....	501
BILL CLERK—Temporary, chosen and qualified.....	1
Permanent, elected and qualified.....	5, 6
BINDING TWINE—Manufacture in penitentiary, Senate File No. 197.	346
Labels on, Senate File No. 230.....	408
BIRTHS AND DEATHS—Registration of, House File No. 29.....	231
BISHOP, REV. ALFRED T.—Officiates as chaplain.....	1435
BLACK HAWK—Monument for, Senate File No. 168.....	254
BLACK, INEZ—Enrolling Clerk, elected and qualified.....	1, 5, 6
BLEAKLY, JOHN L.—Senator Forty-sixth Senatorial District.	
On standing committees: Compensation of Public Officers, chair-	
man; Cities and Towns; Suppression of Intemperance; Public	
Health; Corporations; Printing; Penitentiaries and Pardons;	
Engrossed Bills.	
Appointed on special committees.....	49, 104, 125, 1346, 1433, 1454
Asks unanimous consent.....	171, 531, 848
Entitled to seat.....	3
Explains vote.....	282
Files motion to reconsider.....	994
Introduces Senate Files Nos. 20, 21, 22, 23, 108, 147, 261, 325.	
Leave of absence.....	127
Makes request.....	127, 224, 237, 501, 604
Mileage due.....	48
Motions by.....	104, 124, 163, 196, 261, 291, 536,
537, 549, 637, 717, 929, 930, 931, 999,	
1051, 1127, 1322, 1323, 1324, 1325, 1335, 1378, 1430	
Moves reconsideration.....	518
Offers prayer.....	1217
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 51, 1385
Presents petitions.....	253, 388, 492, 553, 750, 854, 1179, 1435

	Page.
BLEAKLY, JOHN L.—Continued.	
Qualified	3
Raises point of order	1505
Submits report of committee.....	305, 450, 525, 616, 726, 800, 889, 950, 1000, 1126, 1127, 1128, 1234
BOARD OF CONTROL—Report of, on transfer of funds, etc.....	67
BOARD OF EXAMINERS OF OPTOMETRY—To create, House File No. 268.....	1072
BOARD OF EXAMINERS OF OSTEOPATHS—Petition	1104
BOARD OF HEALTH—(See Local Board of Health.) (See State Board of Health.)	
BOARD OF PAROLE—To create, Senate File No. 30.....	122
Governor appoints members.....	1334
BOARD OF POLICE AND FIRE COMMISSIONERS—Relative to, Sen- ate File No. 215.....	375
BOARD OF PUBLIC WORKS—Relative to, Senate File No. 113.....	185
BOARD OF REGENTS—For educational institutions, Senate File No. 84	164
BOARD OF SUPERVISORS—Compensation of members of—	
Senate File No. 28.....	121
Senate File No. 190.....	300
House File No. 43.....	350
Burial of deceased soldiers, allowance, Senate File No. 222.....	389
Division of county into supervisor districts, House File No. 437.....	1139
Fees of, Senate File No. 325.....	793
Highways along Missouri state line, Senate File No. 361.....	1104
Meetings of, House File No. 42.....	240
Powers of, House File No. 131.....	221
Powers as to highways, etc., House File No. 376.....	859
BOILER INSPECTOR, STATE—To create, duties, Senate File No.193	301
Senate File No. 250	474
BONDS—Giving of, in relation to trust estates, Senate File No. 140..	202
Funding of school district, Senate File No. 265.....	523
Senate File No. 271.....	542
Guaranty companies as surety on, House File No. 38.....	196
Issuance by towns in anticipation of special taxes, Senate File No. 195.....	301
Persons and firms in abstract business to give, Senate File No. 238	440
BORDER, MILLARD—Messenger for President of Senate.....	99
BOUNTIES—On wild animals, House File No. 68.....	203
On pocket gophers, House File No. 41.....	240
BOYCE, DAISY—Committee Clerk.....	99
BOYD, REV. J. I.—Officiates as chaplain.....	406
BOYLE, CHARLES E.—Committee Clerk.....	127
BRANNEN, HELEN S.—Committee Clerk.....	100
BRAY, REV. WILLIAM L.—Officiates as chaplain.....	157
BREEDING, ANIMAL—Experiments in, House File No. 281.....	611
BRIDGES—Taxes for, in cities of first class, Senate File No. 194.....	300
BRIDGEWATER—To legalize incorporation of town of, House File No. 251.....	424
BRIGGS, ANSEL—Monument for, Senate File No. 298.....	593
BRUCE, JAMES E.—Senator Eighteenth Senatorial District. On standing committees: Agriculture, chairman; Banks; Suppres- sion of Intemperance; Insurance; Schools; Senatorial and Rep- resentative Districts; Judiciary.	
Appointed on special committees	8, 710
Asks unanimous consent.....	550
Entitled to a seat.....	2
Files motion to reconsider.....	958
Introduces Senate Files Nos. 195, 201, 216, 288, 342.	
Leave of absence.....	41, 151, 253, 604, 824, 959, 1168

	Page.
BRUCE, JAMES E.—Continued.	
Makes request	151, 200
Mileage due	48
Motions by	130, 351, 448, 510, 537, 557, 681, 707, 744, 745, 746, 747, 763, 765, 819, 823, 952, 1146, 1147, 1370
Offers amendment	510, 570
Permitted to retain old seat, resolution	4
Present at joint conventions	11, 43, 51, 132
Presents petitions	387, 407, 456, 553, 749, 1217
Qualified	3
Raises point of order	865
Submits report of committee	194, 412, 413, 426, 461, 526, 528, 529, 603, 744, 765, 855, 1067, 1231, 1232, 1233
BRYAN, W. J.—Invited to address joint convention	244, 259
Addresses joint convention	275
BUCKET SHOPPING—To prevent, Senate File No. 299	594
House File No. 396	837
Petition	871
BUCKLEY, H. H.—Assistant doorkeeper, elected and qualified	1, 5, 6
BUILDING AND LOAN—Committee cn, appointed	65
(See Committees, Standing.)	
BULK SALES—To regulate, Senate File No. 196	301
Petition relative to	440, 492
BUREAU OF LABOR STATISTICS—Reports and returns to—	
Senate File No. 211	363
House File No. 125	458
Expenses of, House File No. 446	1381
Compensation of Commissioner and deputy, Senate File No. 350	1015
BURGESS, HENRY, W.—Senator Forty-second District.	
On standing committees: Public Buildings, chairman; Ways and Means; Railroads; Suppression of Intemperance; Senatorial and Representative Districts; Public Libraries; Educational Institu- tions; Highways.	
Appointed on special committee	684
Draws seat No. 21	4
Entitled to a seat	2
Introduces Senate Files Nos. 316, 345.	
Leave of absence	127, 539
Makes request	106, 224
Mileage due	48
Motions by	1121, 1272
Present at joint conventions	11, 43, 51
Presents petitions	103, 406, 456
Qualified	3
BURGLARY—With explosives, House File No. 356	1082
BURRIF, REV. A. E.—Officiates as chaplain	854
BURNS, JAMES—Pardon denied	1227
BYERS, BESSIE—Committee Clerk	100
BYRKITT, C. S.—Committee Clerk	117
CALENDAR OF BILLS—Secretary instructed to prepare	236
CAMP GROUND—For Iowa National Guard, Senate File No. 351	1030
CAMPAIGN EXPENSES—Sworn statement of, House File No. 477	1382
CAMPBELL, FRANK T.—Appointment of committee to draft resolu- tions on	782
Committee appointed	782, 938
Report of	1315
Resolutions	1315
Remarks by Senators Dowell and Ericson	1316, 1317
CANNED GOODS—Sale of, Senate File No. 136	231
CANVASS OF VOTE—For Governor and Lieutenant-Governor	44, 45

	Page.
CAPITOL—Repairs to walks and steps, House File No. 312.....	611
CARTER, J. H.—Assistant doorkeeper, elected and qualified.....	1, 5, 6
CASADY, REV. THOMAS—Officiates as chaplain.....	1003
CASS, ED. E.—Engrossing Clerk, elected and qualified.....	5, 6
CASSAT, REV. D. W.—Officiates as chaplain.....	1073, 1104
CATHELL, REV. J. EVERIST—Officiates as chaplain.....	102
CENTERVILLE—To legalize annexation of territory—	
Senate File No. 356.....	1095
House File No. 473.....	1197

CERTIFICATES OF PURCHASE—Renewal of lost or destroyed, Senate File No. 54.....	149
CHANDLER, REV. S. L.—Officiates as chaplain.....	439, 473
CHAPLAINS—Committee to secure, appointed.....	99
CHAPLAINS—The following officiated:	

Name	Page	Name	Page
Allen, Rev. Herbert O.....	491	Jones, Rev. Elijah B.....	1347
Beckerman, Rev. Frank F.....	106	Jones, Rev. J. B.....	151
Benson, Rev. E.....	1132	Kendrick, Rev. J. C.....	798
Beyer, Rev. E. G.....	501	Kremers, Rev. H.....	147
Bishop, Rev. Alfred T.....	1435	Lambly, Rev. M. O.....	50
Boyd, Rev. J. I.....	406	McFadden, Rev. Samuel D.....	1306
Bray, Rev. William L.....	157	Mankman, Rev. George E.....	539
Buriff, Rev. A. E.....	854	Murray, Rev. M. B.....	1457
Cassady, Rev. Thomas.....	1003	Nagel, Rev. G. F.....	688
Cassat, Rev. D. W.....	1073, 1104	Nugent, Rev. J. F.....	142
Cathell, Rev. J. Everist.....	102	O'May, Rev. James.....	455
Chandler, Rev. S. L.....	439, 473	Orth, Rev. John C.....	1179, 1270
Cole, Rev. Jesse.....	192	Palmer, Rev. T. B.....	578
Collins, Rev. J. D.....	299	Parsons, Rev. F. W.....	668
Day, Rev. E. E.....	287	Proper, Rev. D. D.....	253
Dean, Rev. C. L.....	618	Quinn, Rev. R. A.....	224
De Mond, Rev. A. L.....	357	Re Qua, Rev. Eugene W. F.....	127
Donaldson, Rev. John B.....	345	Schwimby, Rev. W. A.....	47
Evans, Rev. N.....	592	Smith, Rev. O. O.....	385
Evans, Rev. T. W.....	112	Snowberger, Rev. A. C.....	276
Galden, Rev. A. S.....	1392	Suckom, Rev. W. T.....	551
George, Rev. J.....	913	Swan, Rev. G. W.....	164, 562
Grant, Rev. A. R.....	237	Tinley, Rev. C. E.....	882
Hagerman, Rev. Edward T.....	117	Troutman, Rev. S. F.....	824
Haggett, Rev. A. J.....	1	Van Horn, Rev. H. E.....	645, 959
Hall, Rev. V. E.....	212	Walburn, Rev. A. A.....	39
Hill, Rev. Sherman.....	262, 374	Wareham, Rev. George H.....	522
Hilscher, Rev. Solomon S.....	374	Weinland, Rev. R. S.....	172
Hix, Rev. L. B.....	725	Wilkins, Rev. H. L.....	781
Holmes, Rev. O. H.....	183	Williams, Rev. W. W.....	749
Huff, R. R.....	1032	Wolcott, Rev. E. C.....	200

CHARITABLE INSTITUTIONS—Committee on, appointed.....	65
(See Committees, Standing.)	

CHASSELL, E. D.—Elected State Binder.....	135, 136
CHEEK, MRS. JESSIE—Sings during visit of Pioneer Lawmakers..	723
CHEROKEE STATE HOSPITAL—(See Hospitals for Insane.)	
CHICKASAW COUNTY—To legalize submission of question to electors of, House File No. 242.....	361
CHIEF DOORKEEPER—Temporary, elected and qualified.....	1
Permanent, elected and qualified.....	5, 6
CHIEF JANITOR—Temporary, elected and qualified.....	1
Permanent, elected and qualified.....	5, 6
CHILDREN—Desertion of wife and, Senate File No. 5.....	107
Treatment and control of dependent and delinquent, Senate File No. 131.....	288

	Page.
CITIES AND TOWNS—Committee on, appointed.....	62
(See Committees, Standing.)	
CITIES AND TOWNS—Board of police and fire commissioners, Sen- ate File No. 215.....	375
Board of public works, relative to, Senate File No. 113.....	185
City halls, tax, etc., House File No. 468.....	1309
Claims against contractors doing work for, Senate File No. 246..	457
Consolidation of school districts in certain cities, Senate File No. 82	164
Construction of viaducts, House File No. 156.....	351
Construction of hospitals, House File No. 298.....	837
Correction of erroneous assessments, Senate File No. 112.....	185
House File No. 171.....	507
County road fund, to whom paid, Senate File No. 166.....	254
Dues in Iowa League of Municipalities, House File No. 278.....	827
Duties of city councils, Senate File No. 290.....	590
Garbage, collection and disposal, Senate File No. 312.....	689
Government of large cities, Governor's message.....	21
Senate File No. 212.....	363
Petitions	374, 385, 439, 522
Interest on funds deposited in banks, Senate File No. 115.....	186
Issuance of bonds in anticipation of special taxes by towns, Senate File No. 195.....	301
Jurisdiction of superior courts, Senate File No. 99.....	174
Limitations of actions, Senate File No. 117.....	186
Organization and officers of, Senate File No. 111.....	185
Park commissioners, duties, Senate File No. 341.....	914
House File No. 411.....	1038
Place of bringing actions against, in certain counties—	
Senate File No. 252.....	409
House File No. 280.....	508
Powers of local board of health, Senate File No. 114.....	186
Pensions for disabled firemen, their widows, etc., Senate File No. 304	646
Publication of notices of questions submitted, House File No. 204..	362
Regulation of skating rinks, dance halls, palmists, etc., Senate File No. 347	993
School-teachers' retirement fund in certain districts, Senate File No. 213.....	363
Sewer outlets and purifying plants for cities, Senate File No. 262.	514
Smoke nuisance, Senate File No. 227.....	408
Special assessments for street improvements on right of way of railroad, etc., Senate File No. 205.....	359
Street improvements and special assessments in towns—	
Senate File No. 48.....	148
House File No. 96.....	204
Tax for sewer fund, Senate File No. 116.....	186
Taxes for bridges in cities of first class, Senate File No. 194.....	300
Uniform system of accounting, Senate File No. 256.....	502
Voting places in towns located in two townships, Senate File No. 321	778
CITIES, SPECIAL CHARTER—Appointment and compensation of police matrons, Senate File No. 58.....	149
Compensation of waterworks trustees in, Senate File No. 120.....	187
Erection of city halls, etc., House File No. 468.....	1309
Erection, purchase and operation of heating plants, Senate File No. 249	474
Management of waterworks in, Senate File No. 119.....	186
Powers of, as to use of intoxicating liquors, Senate File No. 342....	914
Record of delinquent taxes, Senate File No. 167.....	254
Removal of officers of, Senate File No. 121.....	187

	Page.
CIVIL CASES—Appeals in, Senate File No. 144.....	202
CLAIMS—Committee on, appointed.....	65
(See Committees, Standing.)	
To secure payment of certain, Senate File No. 246.....	457
CLAIRVOYANTS—Regulation of, Senate File No. 347.....	933
CLARINDA—State Hospital—(See Hospitals for Insane.)	
CLARK, ELBERT W.—Senator Twelfth District.	
On standing committees: Federal Relations, chairman; Appropriations; Cities and Towns; Schools; Public Health; Educational Institutions; Highways; Pharmacy.	
Appointed on special committee.....	125
Draws seat No. 11.....	4
Entitled to a seat.....	2
Introduces Senate Files Nos. 48, 221.	
Leave of absence.....	41, 47, 106, 127, 180, 455, 959
Makes request.....	127
Mileage due.....	48
Motions by.....	260, 478, 1087, 1088, 1151, 1430
Present at joint conventions.....	11, 51, 1385
Presents petitions.....	212, 287, 386, 578, 1104
Qualified.....	3
Submits report of committee.....	243
CLARK, W. M.—Committee Clerk.....	100
CLARKE, GEORGE W.—Trustee State Normal College... 1385, 1386, 1390	
CLERKS—In document room, Senate Joint Resolution No. 1.....	115
(See Bill Clerk.)	
(See File Clerk.)	
(See Journal Clerks.)	
CLIFF, J. W.—To reimburse, Senate File No. 252.....	502
CLIFF, VICTOR C.—Committee Clerk.....	100
CLUTIER—To legalize incorporation of town of, House File No. 294..	479
COCAINE—Sale of, Senate File No. 204.....	358
CODE SUPPLEMENT COMMISSION—To create, Senate File No. 44..	144
Appointment of.....	478
COLE, JUDGE C. C.—On program during visit of Pioneer Law-Makers	723
COLE, REV. JESSE—Officiates as chaplain.....	192
COLLEGE FOR THE BLIND—Appropriation, Senate File No. 137..	201
Senate File No. 360..	1099
Committee to visit, appointed.....	125
Report of.....	309
Unexpended balances in Treasury to credit of.....	72
COLLINS, REV. J. D.—Officiates as chaplain.....	299
COMBINATIONS, POOLS, TRUSTS—Penalty, House File No. 474....	1197
COMMERCE—Committee on, appointed.....	66
(See Committees, Standing.)	
COMMISSION, CODE SUPPLEMENT—To create, Senate File No. 44..	144
COMMISSION—To investigate needs of educational institutions, House File No. 459.....	1337
COMMISSION—To recodify school laws, Senate File No. 242.....	441
Senate Concurrent Resolution..	1016
COMMISSION, TAXATION—Appointment—	
Senate Joint Resolution No. 4.....	686
House File No. 457.....	1011
COMMISSIONERS OF INSANITY—Relative to, Senate File No. 320	770
COMMITTEE CLERKS—Qualified.....	99, 100, 117, 127, 150, 176
Democratic Senators authorized to appoint.....	10, 41

COMMITTEES, JOINT—	Page.
To notify Governor that joint convention is in session.....	12
On inaugural ceremonies.....	8
To notify Governor and Lieutenant-Governor of result of canvass of votes.....	46
On extra help.....	49
To visit College for the Blind at Vinton.....	125, 309
Hospital for Inebriates at Knoxville.....	125, 325
Hospital for Insane at Cherokee.....	125, 324
Clarinda.....	125, 320
Independence.....	125, 322
Mount Pleasant.....	125, 317
Industrial School at Eldora.....	125, 314
Mitchellville.....	125, 316
Institution for Feeble-Minded at Glenwood.....	125, 312
Penitentiary at Anamosa.....	125, 529
Fort Madison.....	125, 327
School for the Deaf at Council Bluffs.....	125, 311
Soldiers' Home at Marshalltown.....	125, 309
Soldiers' Orphans' Home at Davenport.....	125, 341
State Agricultural College at Ames.....	125, 337
State Normal School at Cedar Falls.....	125, 331
State University at Iowa City.....	125, 332
On Washington's birthday program.....	419, 443
To procure gavel and chair for President and Speaker.....	1342, 1483
To draft resolutions on life and services of—	
Samuel L. Bestow.....	42, 103, 1311
Frank T. Campbell.....	782, 1315
Of conference on House File No. 42.....	615, 681, 1190
House File No. 49.....	1308, 1343, 1581
House File No. 130.....	1278, 1319
House File No. 171.....	1009, 1037, 1336
House File No. 341.....	1346, 1372
House File No. 379.....	1335, 1338, 1427, 1432, 1491
House File No. 402.....	1433, 1440
Senate File No. 50.....	1087, 1089, 1129
Senate File No. 162.....	458, 460, 1462
Senate File No. 198.....	1449, 1454, 1474
Senate File No. 280.....	1010, 1015, 1075
COMMITTEES, SPECIAL—On credentials.....	1
To notify Governor that Senate is organized.....	8, 9
To notify House that Senate is organized.....	8
On mileage.....	8, 47
To escort Lieutenant-Governor Garst to chair.....	60
To assign committee rooms.....	100, 108
On chaplains.....	99
To prepare matter for Journal relative to presentation of flowers to Senator Jackson.....	104
On mileage and expenses of visiting committees.....	150
To invite Pioneer Law-Makers' Association to visit the Senate.....	684, 686
To invite Shriners to visit Senate.....	710
To draft resolutions on life of G. F. Wright.....	1342, 1480
To attend fiftieth anniversary of Lenox College.....	1348
To notify the Governor that Senate is ready to adjourn.....	1516, 1517
To notify the House that Senate is ready to adjourn.....	1522, 1523
COMMITTEE, SIFTING—Resolution relative to appointment of.....	871, 1193
Appointed.....	1194
Bills referred to.....	1212, 1219, 1221, 1222,
1224, 1231, 1234, 1253, 1254, 1258, 1265, 1290,	
1293, 1300, 1306, 1329, 1337, 1338, 1348, 1362,	
1374, 1375, 1378, 1381, 1384, 1413, 1434, 1437, 1438	
Petitions referred to.....	1217, 1270, 1417, 1435
Returns bill to Senate.....	1419

COMMITTEES, STANDING—

Page.

Agriculture, appointed.....										61
Bills referred to.....					113,	119,	142			
	158,	184,	201,	205,	225,	288,	399,	408,		
	514,	538,	615,	751,	792,	850,	880,	952,	972	
Clerk for.....										150
Permitted to use Senate Chamber for joint committee meeting..										453
Petitions referred to.....				103,	277,	501,	563,	668,	883	
Reports of.....	194,	412,	413,	426,	461,	526,	528,			
	529,	603,	744,	765,	855,	1067,	1231,	1232,	1233	
Appropriations, appointed.....										61
Bills referred to.....										113,
	128,	143,	148,	159,	165,	173,	174,	184,		
	185,	193,	200,	201,	202,	203,	215,	214,		
	215,	224,	225,	232,	255,	256,	264,	277,		
	288,	289,	346,	363,	366,	375,	389,	399,		
	457,	459,	489,	492,	502,	523,	524,	525,		
	564,	565,	570,	585,	589,	590,	594,	596,		
	603,	614,	615,	640,	663,	691,	701,	726,		
	731,	747,	797,	800,	850,	855,	880,	896,		
	906,	909,	1014,	1033,	1052,	1127,	1174,	1211,		
	1212,	1244,	1254,	1271,	1331,	1361,	1362,	1375,	1384	
Clerk for.....										100
Introduces Senate Files Nos. 220, 224, 286.										
Permitted to use Senate Chamber for joint committee meeting..										453
Petitions referred to... 102,	103,	118,	128,	212,	276,	287,				
	288,	299,	345,	357,	358,	374,	385,	386,		
	387,	388,	389,	406,	407,	439,	456,	475,		
	491,	501,	512,	552,	563,	578,	592,	593,		
	618,	645,	646,	688,	689,	798,	824,	871,	1179	
Reports of.....	176,	242,	243,	267,	306,	369,	394,			
	396,	452,	525,	544,	584,	594,	595,	647,		
	648,	684,	705,	759,	760,	762,	801,	802,		
	845,	846,	887,	888,	921,	970,	971,	1096,		
	1097,	1098,	1189,	1249,	1250,	1281,	1288,	1321,		
	1325,	1349,	1350,	1406,	1407,	1408,	1409,	1410,	1411	
Resolutions referred to.....										1095
Returns bill to Senate.....										1439
Statement of estimated receipts and disbursements.....										1365
Banks, appointed.....										62
Bills referred to.....			143,	158,	159,	289,	383,	769		
Clerk for.....										100
Reports of.....	223,	390,	565,	566,	631,	844,	1180			
Building and Loan, appointed.....										65
Clerk for.....										117
Petitions referred to.....										592
Charitable Institutions, appointed.....										65
Bills referred to.....		365,	474,	781,	852,	872,	1033,	1171		
Clerk for.....										100
Petitions referred to.....										1435
Reports of.....					922,	1024,	1128,	1253		
Cities and Towns, appointed.....										62
Bills referred to.....						148,	150,			
	167,	185,	186,	187,	192,	205,	254,	300,		
	354,	363,	366,	375,	389,	408,	409,	448,		
	474,	511,	514,	646,	689,	888,	1059,	1094,	1177	
Bills withdrawn from.....										1121,
Clerk for.....										100
Petitions referred to... 374,	386,	388,	439,	522,	749,	799,	882			
Reports of.....	168,	227,	228,	229,	290,	392,	393,			
	442,	443,	515,	516,	583,	584,	659,	660,		
	662,	713,	714,	728,	914,	915,	993,	1223,	1224	

COMMITTEES, STANDING—Continued.		Page.
Claims, appointed.....		65
Bills referred to.....	158, 174, 390, 502, 523, 607, 690,	883
Clerk for.....		100
Reports of.....	492, 569, 595, 726, 800, 855,	1006
Commerce, appointed.....		66
Clerk for.....		100
Compensation of Public Officers, appointed.....		65
Bills referred to.....	148, 149,	
	184, 192, 255, 300, 346, 354, 389, 390,	
	613, 691, 769, 811, 851, 986, 1015, 1095,	1173
Bill withdrawn from.....		191
Clerk for.....		99
Reports of.....	305, 450, 525, 616,	
	726, 800, 889, 950, 1000, 1126, 1127, 1128,	1234
Congressional and Judicial Districts, appointed.....		63
Clerk for.....		99
Constitutional Amendments and Suffrage, appointed.....		63
Bill referred to.....		615
Clerk for.....		100
Joint Resolution referred to.....		441
Petitions referred to.....	501, 540, 562, 645,	
	646, 668, 669, 689, 725, 750, 854, 871,	882
Reports of.....		597
Corporations, appointed.....		64
Bills referred to.....	143, 148, 185,	200
Clerk for.....		100
Reports of.....	217, 453, 477,	595
Educational Institutions, appointed.....		64
Clerk for.....		100
Elections, appointed.....		63
Bills referred to.....	103, 104, 199, 346, 511, 855, 1135,	1211
Bill recalled from.....		1265
Clerk for.....		100
Introduces Senate File No. 280.		
Petitions referred to.....		1132
Reports of.....	394, 696, 920, 921,	1218
Engrossed Bills, appointed.....		66
Clerk for.....		150
Enrolled Bills, appointed.....		66
Clerk for.....		117
Reports of.....	145, 146, 226, 238,	
	258, 259, 377, 378, 416, 418, 419, 462,	
	463, 495, 496, 555, 557, 631, 633, 678,	
	679, 718, 766, 768, 779, 780, 840, 841,	
	842, 939, 940, 943, 944, 1006, 1007, 1061,	
	1062, 1064, 1091, 1093, 1115, 1116, 1155, 1157,	
	1206, 1208, 1268, 1281, 1285, 1301, 1303, 1398,	
	1400, 1441, 1442, 1446, 1468, 1472, 1473, 1505,	
	1507, 1510, 1512, 1513, 1515, 1518, 1519, 1521,	1522
Joint Committee on—		
Reports of.....	145, 226, 238,	
	259, 349, 377, 417, 444, 462, 495, 530,	
	556, 616, 632, 671, 678, 712, 718, 767,	
	779, 815, 840, 841, 870, 941, 942, 1006,	
	1040, 1062, 1063, 1092, 1103, 1115, 1156, 1157,	
	1164, 1207, 1208, 1268, 1279, 1283, 1302, 1304,	
	1364, 1376, 1399, 1415, 1433, 1443, 1444, 1445,	
	1449, 1469, 1471, 1472, 1506, 1511, 1514, 1517,	1520

COMMITTEES, STANDING—Continued.

	Page.
Federal Relations, appointed.....	65
Clerk for.....	127
Joint Resolution referred to.....	155
Report of.....	243
Fish and Game, appointed.....	66
Bills referred to.....	129,
150, 157, 184, 255, 594, 790, 851, 852,	891
Clerk for.....	100
Petitions referred to.....	513, 541, 579, 590
Reports of.....	304, 305, 449, 715, 716, 889, 890
Highways, appointed.....	64
Bills referred to.....	129, 167, 175, 346, 354, 513,
542, 563, 614, 669, 683, 850, 881, 1005,	1105
Clerk for.....	100
Petitions referred to.....	491
Reports of.....	244, 410, 504, 648, 824, 856, 972, 1105, 1231
Horticulture and Forestry, appointed.....	66
Clerk for.....	100
Insurance, appointed.....	62
Bills referred to.....	101, 114,
118, 119, 120, 123, 143, 158, 171, 200,	365, 366, 367, 375, 440, 511, 514, 523,
554, 561, 590, 669, 770, 792, 799, 800,	850
Clerk for.....	100, 117
Petitions referred to.....	277,
375, 407, 492, 541, 552, 553, 579,	592
Reports of.....	129, 188, 189, 451,
452, 476, 545, 546, 572, 596, 607, 635,	647, 714, 832, 846, 1021, 1023, 1089, 1130, 1153
Judiciary, appointed.....	61
Bills referred to.....	107, 113, 121, 122, 129,
143, 144, 145, 149, 152, 154, 155, 158,	159, 166, 167, 175, 185, 186, 193, 199,
201, 202, 203, 204, 205, 213, 214, 224,	225, 251, 238, 241, 255, 264, 265, 288,
289, 301, 308, 346, 354, 359, 365, 366,	389, 399, 400, 409, 424, 435, 440, 457,
459, 489, 490, 511, 514, 523, 542, 553,	554, 560, 561, 564, 565, 579, 591, 594,
607, 615, 619, 634, 646, 669, 706, 720,	770, 778, 782, 791, 792, 793, 800, 823,
881, 899, 921, 936, 946, 1004, 1005, 1032,	1094, 1096, 1173, 1176, 1177, 1179, 1187, 1211, 1212
Clerk for.....	100
Petitions referred to.....	102, 128, 147, 263, 558,
375, 386, 388, 406, 407, 440, 456, 492,	513, 540, 553, 578, 592, 593, 593, 668,
669, 725, 749, 959, 1003, 1032, 1073, 1094,	1104
Reports of.....	156, 160,
161, 175, 176, 205, 206, 208, 215, 216,	227, 244, 245, 246, 265, 266, 267, 278,
279, 290, 306, 307, 347, 367, 376, 396,	397, 398, 410, 411, 474, 475, 476, 494,
508, 509, 524, 567, 568, 571, 586, 587,	588, 589, 598, 599, 600, 622, 670, 671,
697, 710, 758, 759, 811, 812, 813, 814,	828, 915, 916, 917, 918, 988, 989, 1134,
1135, 1136, 1137, 1141, 1219, 1220, 1221, 1222, 1223	

COMMITTEES, STANDING—Continued.

	Page.
Labor, appointed.....	64
Bills referred to..... 301, 363, 366, 409, 436, 459,	474
Clerk for.....	100
Reports of.....	503, 730, 731, 1233
Military, appointed.....	64
Bills referred to.....	144,
213, 303, 436, 459, 564, 670, 1030,	1059
Clerk for.....	—
Communication referred to.....	998
Petitions referred to.....	374, 455
Reports of.....	226,
451, 493, 494, 515, 524, 740, 1067,	1114
Manufactures, appointed.....	66
Clerk for.....	127
Mines and Mining, appointed.....	64
Bills referred to.....	164, 613
Clerk for.....	100
Reports of.....	217, 1218
Penitentiaries and Pardons, appointed.....	65
Bills referred to.....	690, 823, 907
Clerk for.....	117
Reports of.....	1005,
1026, 1114, 1224, 1225, 1226, 1227, 1228, 1229,	1230
Pharmacy, appointed.....	64
Bills referred to.....	119, 128, 214, 278, 359, 803, 852
Bill withdrawn from.....	1265
Clerk for.....	100
Petitions referred to.....	128, 183, 254, 345, 408,
439, 440, 455, 512, 541, 553, 593,	725
Report of.....	347, 471, 619, 725, 1053
Printing, appointed.....	65
Bills referred to.....	121, 174, 278, 363, 553, 554, 828
Clerk for.....	100
Petitions referred to.....	388, 512, 552
Resolution referred to.....	199
Reports of.....	155, 268, 394, 571, 572, 612, 635, 1055
Public Buildings, appointed.....	66
Public Health, appointed.....	63
Bills referred to.....	119, 121, 143, 154,
232, 285, 291, 579, 667, 898, 899, 936,	1059
Clerk for.....	99
Petitions referred to.....	212, 264, 276, 277, 288, 300,
353, 388, 456, 578, 689, 798, 1074, 1104,	1179
Reports of.....	218, 255, 256,
292, 368, 369, 393, 695, 971, 1229, 1280,	1281
Public Lands, appointed.....	66
Clerk for.....	100
Public Libraries, appointed.....	63
Bills referred to.....	264, 408
Clerk for.....	100
Reports of.....	450, 451
Railroads, appointed.....	62
Bills referred to.....	104, 114, 167, 168,
183, 193, 278, 303, 359, 354, 400, 408,	409, 410, 440, 538, 542, 579, 593, 650,
670, 691, 726, 733, 748, 850, 851, 852,	853, 907, 916, 952, 1056, 1121, 1203, 1211, 1212
Bills withdrawn from.....	1244, 1258
Clerk for.....	100
Petitions referred to.....	103, 117,
147, 173, 263, 277, 287, 456, 492, 522,	540, 552, 563, 590, 689, 854, 883, 913, 1003

COMMITTEES, STANDING—Continued.

Page.

RAILROADS—Continued.

Reports of.....	415, 522, 698, 699,	
	701, 753, 754, 755, 756, 883, 884, 885,	
	886, 949, 950, 1024, 1100, 1101, 1102, 1171, 1172	
Returns bills to Senate.....		1377, 1378
Retrenchment and Reform—		
Bill referred to.....	474, 502, 503, 880,	1073
Bill withdrawn from.....		1087
Joint Resolution referred to.....		1487
Resolution referred to.....		453
Reports of.....	114, 691,	692
Rules, appointed.....		65
Authorized to confer with House committee and submit joint rules.....		110
Clerk for.....		100
Reports of.....		108, 129
Schools, appointed.....		62
Bills referred to.....		164,
	174, 214, 359, 363, 365, 436, 441, 515,	
	524, 542, 561, 567, 613, 622, 799, 879,	899
Clerk for.....		100
Petitions referred to.....	540, 541, 542, 551, 562,	689
Reports of.....	193, 279, 461, 525, 581, 582, 583,	
	696, 697, 918, 1023, 1074, 1113, 1114, 1217,	1218
Senatorial and Representative Districts, appointed.....		63
Suppression of Intemperance, appointed.....		62
Bills referred to.....		148,
	149, 238, 289, 290, 390, 561, 594, 831,	844
Clerk for.....		112
Petitions referred to.....	212, 263, 276,	
	288, 300, 374, 375, 387, 406, 407, 439,	
	456, 473, 491, 522, 540, 541, 552, 553,	
	563, 592, 618, 689, 725, 749, 781, 798,	799
Reports of.....		471, 517,
	560, 561, 618, 619, 888, 889, 939, 1243,	1244
Telegraph and Telephone, appointed.....		63
Bills referred to.....	203,	409, 1213
Clerk for.....		100
Reports of.....		830
Ways and Means, appointed.....		61
Bills referred to.....	157, 164, 165, 189,	
	213, 241, 289, 300, 353, 359, 366, 441,	
	572, 614, 663, 686, 690, 702, 770, 912,	1095
Clerk for.....		100
Petition referred to.....		688
Reports of.....	218, 225, 291, 423, 460, 461,	
	543, 602, 727, 728, 905, 906, 971, 1005,	1171
COMMON CARRIERS—Actions against, Senate File No. 241.....		440
C. O. D. deliveries by, Senate File No. 51.....		148
Disposition of intoxicants received from, Senate File No. 52.....		148
Issuance of passes prohibited, House File No. 379.....		666
Liability for baggage, House File No. 18.....		833
Reconignment without charge, Senate File No. 234.....		409
Service of notice on, Senate File No. 69.....		157
Weighing of commodities in carload lots, Senate File No. 237.....		409
(See Railroads; Express Companies.)		
COMMUNICATIONS—From Board of Control.....		66
From Secretary of Agricultural College.....		73
From Secretary of State University.....		77
From Secretary of State Normal School.....		93
From Governor.....	482, 748, 835, 848, 997,	1334
From State Librarian.....		1301

	Page.
COMPENSATION—Of newspapers for publication of laws, Senate File No. 27.....	121
Of members of Board of Supervisors, Senate File No. 28.....	121
Senate File No. 190.....	300
House File No. 43.....	350
Of editor of Code Supplement, Senate File No. 44.....	144
Of Deputy and Assistant Food and Dairy Commissioners, Senate File No. 47.....	147
Of police matrons, Senate File No. 58.....	149
Of township officers, Senate File No. 53.....	149
Of attorneys appointed by court, Senate File No. 146.....	203
Of County Recorders and their deputies, Senate File No. 198.....	346
Of school officers, Senate File No. 218.....	389
Of employes in State Library, Senate File No. 225.....	390
House File No. 407.....	1258
Of certain deputy State officers, Senate File No. 122.....	192
House File No. 168.....	601
Of County Attorneys, House File No. 130.....	674
Of Assistant County Attorneys, House File No. 244.....	1091
Of Secretary of State Board of Health, Senate File No. 346.....	986
Of Labor Commissioner and his deputy, Senate File No. 350.....	1015
Of Justices of the Peace and Constables, House File No. 231.....	1138
COMPENSATION OF PUBLIC OFFICERS—Committee on, appointed 65 (See Standing Committee.)	
COMPULSORY ATTENDANCE—At schools, Senate File No. 302....	622
CONCURRENT RESOLUTIONS— House (See page 1586.) Senate (See page 1564.)	
CONDEMNATION—Of property for county fair purposes, Senate File No. 118.....	186
CONGRESSIONAL DISTRICTS—Committee on, appointed.....	63
(See Committees, Standing.)	
CONSTABLES—Compensation, House File No. 231.....	1138
CONSTITUTIONAL AMENDMENT—Relative to drainage, House Joint Resolution No. 2.....	612
Relative to woman suffrage, Senate Joint Resolution No. 3.....	441
CONSTITUTIONAL AMENDMENTS AND SUFFRAGE—Committee on, appointed.....	63
(See Committees, Standing.)	
CONTRACTORS—To secure payment of certain claims against, Senate File No. 246.....	457
CONVEYANCES—Acknowledgment of, Senate File No. 163.....	238
Of property, Senate File No. 272.....	542
CONVICTS—Employment of, Senate File No. 328.....	823
COOK, J. G.—File Clerk, elected and qualified.....	1, 5, 6
CORONER—Examination of witnesses, etc., House File No. 81.....	231
CORPORATIONS—Committee on, appointed.....	64
(See Committees, Standing.)	
Annual license fee, Senate File No. 203.....	358
Articles of incorporation, approval, Governor's message.....	24
Senate File No. 127.....	200
House File No. 287.....	893
Contributions for political purposes, Governor's message.....	27
Senate File No. 38.....	142
Corrupt influencing of agents or employes, House File No. 14.....	782
For pecuniary profit, relative to, Senate File No. 109.....	185
Powers of stockholders and directors of railway, Senate File No. 214.....	363
Publication of false statements relative to stocks, etc., Senate File No. 171.....	255
Service of notice on certain, Senate File No. 69.....	157

	Page.
COSTS—Recovery of, by successful litigant, Senate File No. 231.....	408
COUNTY—Borrowing money for erection of public buildings, Senate File No. 300.....	607
Construction of hospital by, Senate File No. 365.....	1186
COUNTY AGRICULTURAL SOCIETIES—State aid for—	
Senate File No. 72.....	158
House File No. 92.....	391
To condemn property for fair purposes, Senate File No. 118.....	186
Purchase of land by, House File No. 1.....	612
COUNTY ATTORNEY—Compensation, House File No. 130.....	674
Removal, Senate File No. 331.....	844
Assistant, compensation, House File No. 244.....	1091
COUNTY AUDITORS—To legalize certain plats made by, House File No. 211.....	350
Uniform blanks, records, etc., Senate File No. 277.....	553
COUNTY COMMISSIONERS OF INSANITY—Relative to, Senate File No. 320.....	770
COUNTY HISTORICAL ASSOCIATION—Public libraries to unite with, Senate File No. 228.....	408
COUNTY OFFICERS—Term of office, Senate File No. 329.....	823
Senate File No. 352.....	855
Petitions relative to term of office.....	959,
1003, 1032, 1073, 1094, 1104, 1132, 1217,	1270
Uniform blanks, records, for certain, Senate File No. 277.....	553
COUNTY RECORDER—Compensation, Senate File No. 198.....	346
Fee for indexing, assignment, etc., Senate File No. 40.....	143
Filing, recording and indexing deeds, Senate File No. 174.....	264
Indexes kept by, House File No. 414.....	1138
To legalize recording of certain plats, House File No. 211.....	350
COUNTY ROAD FUND—Relative to, Senate File No. 166.....	254
House File No. 404.....	992
COUNTY SEATS—Relocation of, Senate File No. 221.....	389
COUNTY SUPERINTENDENT—To legalize certain certificates issued by, House File No. 238.....	794
COUNTY TEACHERS' INSTITUTES—Support of, House File No. 260.....	602
COUNTY TREASURER—To have custody of school funds, Senate File No. 263.....	514
Uniform blanks, records, etc., Senate File No. 277.....	553
Account with Treasurer of State, Senate File No. 315.....	720
COWNIE, J. H., ET AL.—To reimburse, Senate File No. 80.....	159
House File No. 101.....	674
CREDENTIALS—Committee on, appointed, and report of.....	1
CRIMINAL CASES—Appeals in, Senate File No. 141.....	202
Senate File No. 352.....	1033
Consideration of appealed, Senate File No. 148.....	203
Commencement of, Senate File No. 281.....	564
New trials on account of new evidence, House File No. 247.....	392
Reversal of appealed, Senate File No. 150.....	203
CROSSLEY, JAMES J.—Senator Sixteenth District.	
On standing committees: Schools, chairman; Judiciary; Agriculture; Elections; Constitutional Amendments and Suffrage; Telegraphs and Telephones; Building and Loan.	
Appointed on special committees.....	8, 1015, 1454, 1479, 1483
Appointed teller.....	43
Asks unanimous consent.....	601, 685
Entitled to seat.....	3
Explains vote.....	821
Introduces Senate Files Nos. 3, 34, 85, 86, 169, 191, 274, 299, 302.	
Leave of absence.....	106, 200, 473, 725
Makes request.....	131, 345, 357, 522, 539, 706, 795, 822, 1030
Mileage due.....	48

CROSSLEY, JAMES J.—Continued.

	Page.			
Motions by.....	2,	3,	37,	60,
	125,	247,	260,	352,
	353,	500,	577,	609,
	610,	627,	629,	656,
	657,	658,	679,	682,
	984,	1030,	1031,	1033,
	1034,	1103,	1119,	1120,
	1192,	1252,	1299,	1334,
	1360,	1391,	1392,	1428,
				1430
On program for Washington's birthday.....				444,
				454
Offers amendment.....			577,	1429,
				1430
Offers resolution.....				1334
Presents petition.....	287,	455,	592,	689,
				1073,
				1094
Permitted to retain old seat, resolution.....				4
Present at joint conventions.....	11,	43,	51,	132,
				1385
Presides.....	40,	303,	531,	585
Qualified.....				3
Seconds nomination of Dolliver for Senator in Congress.....				124
Signs certificate of election as teller.....			45,	46
Submits report of committee.....			193,	
	279,	461,	525,	581,
	582,	583,	696,	
	697,	1023,	1074,	1075,
	1113,	1114,	1217,	1218
CRUELTY TO ANIMALS—To punish, Senate File No. 123.....				192
CUMMINS, ALBERT B.—(See Governor.)				
CUSTODIAN—Instructed to place proper chair at President's desk....				37
Authorized to appoint eight assistants and three elevator tenders, Senate Joint Resolution No. 1.....				114
Directed to secure desk for use of President of the Senate.....				168
Instructed to procure desk for the Sergeant-at-Arms.....				364
Appointment of, submitted to senate.....				748
Confirmed.....				1159
DAIRY COMMISSIONER—(See Food and Dairy Commissioner.)				
DANCE HALLS—Regulation, Senate File No. 347.....				993
DAVIS, KATHRYN—Committee Clerk.....				100
DAY, REV. E. E.—Officiates as chaplain.....				287
DEAD BODIES, UNCLAIMED—Disposition of, Senate File No. 63....				154
DE GEEST, CORNELIS—Patent for, House File No. 429.....				857
DEAN, REV. C. L.—Officiates as chaplain.....				618
DEARMAND, ALICE M.—Clerk for Senator DeArmand.....				100
DEARMAND, J. A.—Senator Twenty-first District.				
On standing committees: Railroads; Cities and Towns; Senatorial and Representative Districts; Public Health; Highways; Phar- macy; Commerce.				
Appointed on special committees.....	8,	1308,	1342	
Clerk for.....			100	
Draws seat No. 26.....			4	
Entitled to a seat.....			2	
Explains vote.....			822,	1494
Introduces Senate Files Nos. 56, 57, 123, 138, 186, 271, 335.				
Leave of absence.....			385,	551
Makes request.....			374,	1168,
				1306
Mileage due.....				48
Motions by.....	258,	447,	448,	548,
	549,	658,	796,	868,
	870,	879,	993,	994,
	1070,	1112,	1151,	1240,
				1357
Offers substitute.....				789,
				796
Present at joint conventions.....	11,	43,	51,	132
Presents petitions..	277,	440,	540,	552,
	592,	689,	799,	871,
				1179
Presents gavel and chair to Lieutenant-Governor Garst.....				1483
Qualified.....				3
DEATHS—Assessors to report, Senate File No. 289.....				579
DECORATION DAY—Sports or games on, petitions relative to—				
	102,	128,	147,	263,
	374,	375,	455	
House File No. 151.....				301
DELINQUENT CHILDREN—Control of, Senate File No. 181.....				288

	Page.
DELINQUENT TAXES—Suits at law for collection of, Senate File No. 61.....	152
Record of, in special charter cities, Senate File No. 167.....	254
DEMOCRATIC MINORITY—Committee Clerks for.....	100
DEMOND, REV. A. L.—Officiates as chaplain.....	357
DEMURRAGE—(See Reciprocal Demurrage.)	
DENTISTRY—Practice of, Senate File No. 336.....	898
DEPARTMENT OF AGRICULTURE—Amphitheater, swine pavilion and land for fair grounds, Senate File No. 94.....	173
House File No. 75.....	857
Comments on Governor's message.....	16
Election of officers and directors, petition relative to.....	276, 668
Petition for erection of swine pavilion.....	287, 288,
299, 345, 357, 374, 385, 389, 406,	
407, 456, 491, 501, 552, 563, 578,	688
DEPARTMENT OF INSURANCE—To create, Senate File No. 15.....	118
Petitions.....	541, 552, 553, 579, 592
DESECRATION—Of Memorial day, House File No. 151.....	301
DESERTION—Family, Governor's message.....	20
To provide punishment for, Senate File No. 5.....	107
DES MOINES RIVER—Sale of lands within former channel of, Senate File No. 364.....	1179
DEXTER—To legalize acts of town council of, House File No. 444.....	1160
DEWOLF, SHERMAN W.—Senator Thirty-eighth District.	
On standing committees: Judiciary; Suppression of Intemperance; Congressional and Judicial Districts; Corporations; Pharmacy; Charitable Institutions; Compensation of Public Officers; Fish and Game.	
Appointed on Code Supplement Commission.....	478
Asks unanimous consent.....	590
Committee clerk for.....	127
Draws seat No. 25.....	4
Entitled to a seat.....	2
Explains vote.....	822, 835
Introduces Senate Files Nos. 7, 178, 193, 196, 226, 235, 236, 329.	
Leave of absence.....	41, 47, 50, 172, 224, 374, 539, 913
Mileage due.....	48
Motions by.....	685, 712, 734, 804, 870, 872,
965, 987, 988, 994, 1000, 1085, 1100, 1111, 1131	
On program for Washington's birthday.....	444, 454
Present at joint conventions.....	11, 43, 132, 1385
Qualified.....	3
DISTRICT AGRICULTURAL SOCIETIES—State aid for—	
Senate File No. 72.....	158
House File No. 92.....	391
DISTRICT COURT—Powers relative to delinquent children, Senate File No. 181.....	288
To provide new jury lists, House File No. 104.....	391
DISTRICT COURT, GENERAL—To establish, Senate File No. 57.....	149
DISTRICT SANITARY CONVENTIONS—To provide for, Senate File No. 41.....	143
DIVORCES—Relative to, Senate File No. 90.....	167
House File No. 363.....	641
Judgments in actions for, Senate File No. 66.....	155
DIXON, CECIL—Journal Clerk, elected and qualified.....	1, 5, 6
DOCUMENT ROOM—Extra clerks for, Senate Joint Resolution No. 1..	114
DOCUMENTS, STATE—Relative to, Senate File No. 169.....	255
DOGS—Taxes for, to be used to settle damages done by, petition.....	668
Taxation of, House File No. 207.....	751

	Page.
DOLLIVER—Nominated for Senator in Congress.....	124
Elected Senator in Congress by Senate.....	124
Elected Senator in Congress by joint convention.....	133, 134
Addresses joint convention.....	140, 141
DOMESTIC SCIENCE—To create department of, in School for Deaf, Senate File No. 247.....	474
DONALDSON, REV. JOHN B.—Officiates as chaplain.....	345
DOORKEEPERS—Temporary, elected and qualified.....	1
Permanent, elected and qualified.....	5, 6
Badges for.....	7
Permitted to retain badges, resolution.....	1485
DOWELL, CASSIUS C.—Senator Thirtieth District.	
On standing committees: Judiciary, chairman; Cities and Towns; Congressional and Judicial Districts; Public Health; Printing; Rules.	
Addresses Senate.....	1316
Appoints special committee while presiding.....	419
Appointed on special committees.....	8, 104, 110, 460, 938
Asks unanimous consent.....	400, 711
Entitled to seat.....	2
Introduces Senate Files Nos. 55, 59, 80, 82, 133, 185, 212, 213, 214, 267, 301, 341.	
Makes request.....	142, 192
Mileage due.....	48
Motions by.....	7, 8, 9, 37, 39,
40, 41, 42, 104, 110, 135, 141, 146,	
163, 178, 193, 194, 230, 250, 251, 258,	
260, 280, 283, 284, 296, 297, 298, 364,	
453, 469, 518, 537, 590, 617, 641, 673,	
711, 741, 853, 834, 845, 859, 860, 861,	
862, 863, 873, 982, 1001, 1012, 1059, 1083,	
1095, 1117, 1145, 1146, 1365, 1367, 1405, 1406, 1449	
Offers amendment.....	9, 574
Offers resolutions.....	7, 8, 37, 135, 364, 373
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 51, 132
Presents petitions.....	374, 385, 386, 389, 439, 512, 522
Presides.....	168, 406, 591,
651, 807, 975, 1070, 1150, 1183, 1355, 1383, 1490	
Qualified.....	3
Raises point of order.....	1161, 1162
Submits report of committee.....	41, 156, 160, 161,
175, 176, 205, 206, 208, 215, 216, 227,	
244, 245, 246, 265, 266, 267, 278, 279,	
290, 306, 307, 347, 367, 376, 396, 397,	
398, 410, 411, 474, 475, 476, 494, 508,	
509, 524, 567, 568, 571, 586, 587, 588,	
589, 598, 599, 600, 622, 670, 671, 697,	
710, 758, 759, 811, 812, 813, 814, 828,	
915, 916, 917, 918, 988, 989, 1134, 1135,	
1136, 1137, 1141, 1219, 1220, 1221, 1222, 1223, 1316	
DRAINAGE—Constitutional amendment relative to, House Joint Reso- lution No. 2.....	612
Publication of laws relating to, Concurrent Resolution.....	383
Relative to establishment of districts, etc., Senate File No. 8....	113
Senate File No. 37.....	142
House File No. 60.....	221
House File No. 59.....	204

	Page.
DRUGS—Adulteration and misbranding of, Senate File No. 178.....	278
Misbranding and imitation of, Senate File No. 31.....	128
Petitions relative to sale of.... 127, 183, 212, 254, 277, 288,	
345, 408, 439, 455, 512, 553, 592, 688,	725
Sale of cocaine, Senate File No. 204.....	358
Samples of, House File No. 424.....	837
DUNGAN, WARREN S.—Responds to address of welcome.....	723
DUNHAM, GEORGE W.—Senator Thirty-third District.	
On standing committees: Suppression of Intemperance, chairman;	
Judiciary; Appropriations; Schools; Educational Institutions;	
Highways; Charitable Institutions; Rules.	
Appointed on special committees.....	460,
615, 938, 1015, 1194, 1348,	1432
Appointed on Code Supplement Commission.....	478
Asks unanimous consent.....	565, 775, 1017
Entitled to a seat.....	3
Explains vote.....	282
Files motion to reconsider.....	531
Introduces Senate Files Nos. 44, 49, 148, 149, 150, 181, 223, 225, 242,	
243, 254, 255, 256, 257, 268, 272, 294.	
Leave of absence.....	4, 172, 183, 725
Makes request.....	127, 131, 345
Mileage due.....	48
Motions by.....	162, 163, 220, 222, 232, 236, 295,
296, 371, 372, 373, 380, 519, 548, 559,	
609, 741, 795, 821, 836, 843, 928, 948,	
949, 953, 1122, 1185, 1203, 1204, 1210, 1215	
1262, 1266, 1277, 1278, 1326, 1342, 1348, 1411, 1430	
Offers amendment.....	220, 222, 658
Offers resolution.....	236
Permitted to retain old seat, resolution.....	4
Present at joint convention.....	132, 1385
Presents petitions.....	263, 287, 374, 386, 388,
513, 540, 552, 562, 725, 882, 913, 959, 1003	
Presents memorial.....	1347
Qualified.....	112
Submits report of committee.....	471, 517, 560,
561, 618, 619, 888, 889, 939, 1231, 1243, 1244	
DUNLEITH AND DUBUQUE BRIDGE COMPANIES—To legalize con-	
solidation, Senate File No. 60.....	151
ECKLES, CHARLES—Senator Twenty-eighth District.	
On standing committees: Claims, chairman; Ways and Means;	
Agriculture; Cities and Towns; Public Libraries; Military;	
Highways; Federal Relations.	
Appointed on special committees.....	125, 1348, 1516
Asks permission to draw new seat.....	4
Draws seat No. 36.....	4
Entitled to a seat.....	3
Introduces Senate Files Nos. 154, 173, 279, 312.	
Leave of absence.....	539
Makes request.....	112, 781, 1086
Mileage due.....	48
Motions by.....	232, 776,
777, 778, 780, 896, 975, 976, 1043, 1159, 1205	
Present at joint conventions.....	11, 43, 51, 132
Presents petitions.....	117, 276, 387, 455, 646, 668, 688
Qualified.....	3
Returns bill to Senate.....	1454
Submits report of committee.... 492, 569, 595, 726, 800, 855, 1006	

	Page.
EDUCATIONAL BOARD OF EXAMINERS—Validation of certain certificates, Senate File No. 98.....	174
Supplies and printing for, Senate File No. 160.....	214
House File No. 217.....	520
To issue State diplomas to certain graduates, Senate File No. 207..	359
Powers and duties of, House File No. 158.....	360
EDUCATIONAL BOARD OF REGENTS—To create, Senate File No. 84	164
EDUCATIONAL INSTITUTIONS—Committee on, Appointed.....	64
(See Committees, Standing.)	
Appropriations for, Senate File No. 360.....	1099
Governor's message.....	17
Committee to investigate needs of, House File No. 459.....	1337
ELECTION—Of officers of the Senate.....	4, 5
Of Senator in Congress.....	124, 133
Of State Printer and Binder.....	135
Of code supplement editor.....	137
Of Regents of State University to fill vacancies.....	137, 139
Of township officers in new townships, House File No. 27.....	195
Of county officers, Senate File No. 332.....	855
Of regents and trustees of educational institutions.....	1385, 1386
ELECTIONS—Committee on, appointed.....	63
(See Committees, Standing.)	
(See Primary Elections.)	
Campaign expenses, statement, House File No. 477.....	1382
Location of polling places, House File No. 433.....	1196
Political contributions by corporations, Senate File No. 58.....	142
Powers of voting machine commissioners, House File No. 98.....	507
Recording of abstracts of votes by Secretary of State—	
Senate File No. 200.....	346
House File No. 279.....	507
ELECTRICITY—Larceny of, Senate File No. 240.....	440
ELERICK, JAMES—Senator Second District.	
On standing committees: Mines and Mining, chairman; Agriculture; Senatorial and Representative Districts; Elections; Public Libraries; Military; Labor; Horticulture and Forestry.	
Appointed on special committees.....	8, 100, 125
Asks unanimous consent.....	190
Entitled to a seat.....	3
Introduces Senate Files Nos. 39, 53, 62, 103, 229, 234, 321.	
Leave of absence.....	1014
Makes request.....	41, 50, 106, 191, 523, 539
Mileage due.....	48
Motions by.....	100, 146, 170, 191, 211, 252, 260, 364, 404, 405, 438, 445, 497, 549, 561, 625, 626, 638, 644, 633, 823, 863, 865, 908, 966, 986, 1002, 1129, 1144, 1145, 1150, 1416, 1417, 1418, 1429, 1431
Offers amendments.....	683, 863
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 51, 132
Presents petitions.....	357, 358, 455, 1104
Presides.....	10
Qualified.....	3
Submits report of committee.....	108, 217, 1218
ELEVATOR MEN—To prohibit grain combinations between, House File No. 105.....	391
ELLIOTT, GEO. B.—Committee Clerk.....	127
EMBALMERS—Examination of, Senate File No. 17.....	118
House File No. 7.....	285
Petition.....	300

	Page.
EMMERT, J. M.—Member of board of parole.....	1334
EMPLOYERS' LIABILITY—Governor's message.....	26
Senate File No. 236.....	409
EMPLOYES, ADDITIONAL—Of Thirty-second General Assembly, ap- pointment, concurrent resolution.....	7
Joint resolution relative to employment.....	114
Appropriation to pay, Senate File No. 102.....	183
EMPLOYES, RAILROAD—Liability of railroads to, House File No. 61.....	1197
EMPLOYES, SENATE—Temporary chosen and qualified.....	1
Permanent, elected and qualified.....	4, 5, 6
EMPLOYES, STATE—Number and salaries of, Senate Joint Resolu- tion No. 6.....	1421
Appropriations to pay, Senate File No. 375.....	1494
EMPLOYES, STREET RAILWAY—To promote safety and health of, Senate File No. 92.....	167
EMPLOYMENT OFFICES—To regulate, House File No. 164.....	350
House File No. 140.....	361
ENGLISH, EMORY H.—Elected State Printer.....	135, 136
ENGROSSED BILLS—Committee on, appointed.....	66
(See Committees, Standing.)	
ENGROSSING CLERK—Temporary, chosen and qualified.....	1
Permanent, elected and qualified.....	5, 6
Required to remain after adjournment, concurrent resolution....	1418
ENROLLED BILLS—Committee on, appointed.....	66
(See Committees, Standing.)	
ENROLLING CLERK—Temporary, chosen and qualified.....	1
Permanent, elected and qualified.....	5, 6
ERICSON, C. J. A.—Senator Thirty-first District. On standing committees: Constitutional Amendments and Suf- frage, chairman; Ways and Means; Agriculture; Banks; Insur- ance; Corporations; Federal Relations. Addresses Senate.....	1317
Appointed on special committees.....	8, 125
Asks unanimous consent.....	619
Entitled to a seat.....	3
Introduces Senate Files Nos. 6, 26, 164, 182, 203, 228, 251, 253.	
Leave of absence.....	112, 151, 539, 551, 706, 1435
Makes request.....	41, 47, 522
Mileage due.....	48
Motions by.....	6,
7, 262, 488, 535, 704, 895, 1016, 1052,	
1116, 1121, 1125, 1254, 1293, 1298, 1367, 1428,	1523
Moves reconsideration.....	1124
Nominates Jonathan P. Dolliver for U. S. Senator.....	124
Offers amendment.....	1428
Offers resolution.....	6, 7
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 51, 132, 1385
Presents petitions.....	299, 375, 388, 407, 501, 579
Qualified.....	3
Submits report of committee.....	47, 597, 939
EVANS, FRANK O.—Presides during visit of Shriners.....	723
EVANS, REV. N.—Officiates as Chaplain.....	592
EVANS, REV. T. W.—Officiates as Chaplain.....	112
EVIDENCE, NEW—In criminal cases, House File No. 247.....	392
EXAMINATION—Of insurance companies, Senate File No. 1.....	101
Of embalmers, Senate File No. 17.....	118
House File No. 7.....	283
Of nurses, Senate File No. 78.....	159
Of employment officers, House File No. 140.....	361
Of pharmacists, Senate File No. 327.....	803

	Page.
EXECUTION—Issuance of, when outstanding execution is lost, Senate File No. 162.....	224
EXECUTIVE COUNCIL—To repair Capitol walks and steps, Senate File No. 219.....	389
Election and duties of Secretary of, Senate File No. 248.....	474
House File No. 335.....	1071
EXECUTIVE SESSIONS.....	748, 835, 1159, 1334
EXECUTORS—Relating to non-resident, Senate File No. 143.....	202
House File No. 91.....	859
To legalize conveyances by, House File No. 145.....	391
EXEMPTION—From taxation, to soldiers and sailors and their widows, Senate File No. 85.....	165
From incorporation fee, Senate File No. 145.....	202
Of personal earnings, petition.....	357, 375, 388, 406, 407, 456, 553, 578, 592, 725, 883
Relating to property exempt from taxation, Senate File No. 187.....	289
House File No. 73... ..	611
Senate File No. 306... ..	662
House File No. 202... ..	694
House File No. 441... ..	1091
EXPLANATION OF VOTE.....	795, 796, 821, 835, 873, 1353, 1494, 1502
EXPLOSIVES—Burglary with, House File No. 356.....	1082
Storage or transportation in coal mines, Senate File No. 81.....	164
EXPRESS COMPANIES—Assessment for taxation, Senate File No. 349.....	1005
C. O. D. deliveries, Senate File No. 51.....	148
Relative to, Senate File No. 270.....	542
House File No. 362.....	838
Service of notice on, Senate File No. 69.....	157
To regulate disposition of intoxicants received from, Senate File No. 52.....	148
EXTRA EMPLOYEES—(See Additional Employees.)	
FALSE FIRE-ALARMS—Penalty, House File No. 102.....	204
FAMILY DESERTION—Governor's message.....	20
To prevent, Senate File No. 5.....	107
FARMERS' MUTUAL TELEPHONE COMPANIES—Exemption from incorporation fee, Senate File No. 145.....	202
FEDERAL RELATIONS—Committee on, appointed.....	65
(See Committees, Standing.)	
FEELY-MORNIN—Contest election expenses, House File No. 484.....	1351
FEES—Exemption from incorporation, Senate File No. 145.....	202
Relative to incorporation, Senate File No. 243.....	441
FEMALES—Place of confinement of, when sentenced to penitentiary, Senate File No. 371.....	1381
FENCES—Along right of way of railroads, House File No. 63.....	738
FIESTER, D. H.—To indemnify, Senate File No. 268.....	523
House File No. 350.....	1383
FILE CLERK—Temporary, chosen and qualified.....	1
Permanent, elected and qualified.....	5, 6
FINANCES—Statement of, Governor's message.....	12
FINE, WILL—Janitor cloak room, elected and qualified.....	5, 6
FIRE APPARATUS—Removal of, House File No. 102.....	204
FIRE INSURANCE—(See Insurance.)	
FIRE-ESCAPES—Construction on certain buildings, House File No. 313.....	858
FIRE-CRACKERS—To regulate use of, House File No. 77.....	424
FIREMEN—Pensions for, Senate File No. 304.....	646
Petition.....	749, 882

INDEX

1613

	Page.
FISH AND GAME—Committee on, appointed.....	66
(See Committees, Standing.)	
Care and propagation of fish, Senate File No. 296.....	594
House File No. 389.....	839
House File No. 492.....	1436
License for hunters, Senate File No. 68.....	157
Senate File No. 295.....	593
House File No. 243.....	783
Pheasants, propagation of, House File No. 426.....	858
Petitions relative to.....	513, 590
Relative to, Senate File No. 59.....	150
Senate File No. 107.....	184
Trapping, shooting or killing quails, Senate File No. 107.....	184
FISH AND GAME WARDEN—Appropriation for, Senate File No. 106.....	184
Relative to, Senate File No. 295.....	593
Relative to deputies, Senate File No. 68.....	157
To investigate dredging of lakes, Concurrent Resolution.....	1013
FLAGS, SPANISH-AMERICAN WAR—Case for, Senate File No. 245..	457
FLORENCE CRITTENTON HOME—To legalize action of, Senate File No. 324.....	792
FOOD, ARTICLES OF—In unsanitary packages, Senate File No. 335..	898
FOOD AND DAIRY COMMISSIONER—Compensation of deputies, Senate File No. 47.....	147
Powers relative to stock foods, Senate File No. 18.....	119
Powers relative to labels on paints and oils, Senate File No. 19....	119
FOLEY, KATE—Clerk for Senator Foley.....	100
FOLEY, JOHN—Senator Forty-fourth District.	
On standing committees: Appropriations; Banks; Congressional and Judicial Districts; Public Health; Labor; Charitable Institutions; Claims.	
Appointed on special committees.....	125, 1523
Clerk for.....	100
Draws seat No. 19.....	4
Entitled to a seat.....	2
Explains vote.....	322, 1502
Files motion to reconsider.....	1072
Introduces Senate File No. 365.	
Leave of absence.....	47, 102, 106, 224, 1014
Makes request.....	523
Mileage due.....	48
Motions by.....	382, 1187
Present at joint conventions.....	11, 43, 51, 132
Presents petitions.....	263, 388, 491, 552, 593, 668, 688, 854, 883
Qualified.....	3
FOSTER, G. CLEVELAND—Messenger.....	1, 110
FRANKLIN, J. C.—Committee Clerk.....	100
FRATERNAL ACCIDENT ASSOCIATIONS—Relative to—	
Senate File No. 16.....	118
House File No. 32.....	170
FRATERNAL BENEFICIARY SOCIETIES—Acquisition of real estate, Senate File No. 266.....	523
Investment of funds, Senate File No. 22.....	120
Senate File No. 261.....	514
Rates of, Senate File No. 23.....	120
House File No. 50.....	360
Petition.....	277, 492
Relative to, Senate File No. 14.....	118
FREE PASSES—Governor's message.....	36
To abolish, Senate File No. 93.....	167
House File No. 379.....	666
Petition.....	172, 277, 689

	Page.
FREIGHT RATES —Governor's message.....	34
Investigation of, Senate File No. 224.....	390
Joint rates, House File No. 282.....	837
Senate File No. 202.....	358
Petition.....	277
Relative to, Senate File No. 229.....	408
Petition.....	456, 1003
FRUDDEN, A. F. —Senator Thirty-fifth District.	
On standing committees: Appropriations; Cities and Towns; In-	
surance; Public Health; Corporations; Highways; Charitable	
Institutions; Commerce; Engrossed Bills.	
Appointed on special committees.....	111, 125, 938, 1308, 1483
Clerk for.....	110
Draws seat No. 28.....	4
Entitled to a seat.....	2
Introduces Senate Files Nos. 10, 25, 58, 60, 119, 120, 121.	
Leave of absence.....	523, 1306
Makes request.....	47, 102, 237, 385, 455, 1014
Mileage due.....	48
Motions by.....	170,
180, 233, 234, 235, 292, 307, 378, 441,	
615, 642, 658, 818, 868, 927, 959, 960, 1366	
Offers substitute.....	904
Present at joint conventions.....	11, 43, 51, 132, 1385
Presents petitions.....	254, 277, 541, 798
Presides.....	1406
Qualified.....	3
GALARNO, GEORGE —Committee Clerk.....	100
GALDEN, REV. A. S. —Officiates as Chaplain.....	1392
GALE, A. H. —Senator Forty-third District.	
On standing committees: Public Libraries, chairman; Ways and	
Means; Banks; Suppression of Intemperance; Charitable Insti-	
tutions; Commerce; Constitutional Amendments and Suffrage.	
Asks unanimous consent.....	895
Calls up resolution.....	41
Entitled to a seat.....	3
Exchanges seat with Senator Whiting.....	10
Files motion to reconsider.....	1449
Introduces Senate Files Nos. 126, 222, 291.	
Introduces Joint Resolution No. 3.	
Leave of absence.....	117, 127, 523, 1032
Makes request.....	1014
Mileage due.....	48
Motions by.....	10, 41, 606, 810, 819, 894, 895, 958, 1080
Offers resolutions.....	10, 1013
Permitted to retain seat.....	4
Present at joint conventions.....	11, 51
Qualified.....	3
Submits report of committee.....	450, 451
GAME —(See Fish and Game.)	
GARBAGE —Collection and disposal of, Senate File No. 312.....	689
GARST, WARREN —President of the Senate.	
Addresses Senate.....	60
Announces communication from Governor.....	481,
748, 835, 848, 997, 1334	
Announces that Senate will proceed to the House... 131, 274, 454, 1384	
Appoints messengers.....	99, 101
Appoints special committees.....	99, 100,
104, 124, 139, 150, 275, 460, 478,	
615, 684, 938, 1009, 1194, 1278, 1508,	
1346, 1348, 1433, 1434, 1454, 1479, 1516, 1523	
Appoints standing committees.....	61

GARST, WARREN—Continued.	Page.
Appoints tellers.....	1385
Authorized to invite members of Des Moines Booster Committee to address Senate.....	101
Canvass of vote for Lieutenant-Governor.....	44
Certificate of election.....	46
Chair and gavel for, Senate Joint Resolution No. 5.....	939
Presented to.....	1483
Decides points of order..... 232, 865, 1161, 1162, 1407, 1493,	1505
Declared elected Lieutenant-Governor.....	45
Declares Jonathan P. Dolliver elected U. S. Senator—	
By the Senate.....	124
By the Thirty-second General Assembly.....	134
Declares election—	
Of State Printer and Binder.....	136
Of Code Supplement Editor.....	138
Of Regents and Trustees of educational institutions	
138, 140,	1386
Declares Senate of Thirty-second General Assembly adjourned sine die.....	1523
Escorted to the chair.....	60, 1483
Instructed Secretary of Senate to read communication.....	210
Makes ruling.....	615, 686, 777, 909, 1123
Mileage due.....	47
Oath of office administered to.....	52
Presents petitions.....	375, 455, 492, 501, 513, 563, 618, 725
Presents report of Board of Control on unexpended balances.....	66
Presents special reports of secretaries of State educational institutions.....	73
Presides at joint conventions.....	131, 275, 454, 1385
Remarks printed in Journal.....	60
Signs bills.....	146,
228, 250, 262, 351, 384, 434, 465, 472,	
498, 537, 560, 573, 608, 634, 673, 680,	
712, 718, 770, 779, 823, 844, 868, 938,	
1013, 1042, 1068, 1085, 1113, 1155, 1171, 1215,	
1255, 1278, 1290, 1301, 1365, 1367, 1381, 1397,	
1415, 1432, 1448, 1454, 1468, 1474, 1505, 1518, 1522	
Signs certificates of election.....	134,
136, 137, 138, 139, 140, 1387, 1388, 1389, 1390	
Thanks Pioneer Law-Makers for their visit.....	723
Thanks Senators and officers and employes for kindness and assistance.....	1483
Welcomes Pioneer Law-Makers.....	722
GARWIN—To legalize incorporation of, House File No. 380.....	788
GAS—Larceny of, Senate File No. 240.....	440
GENERAL DISTRICT COURT—To establish, Senate File No. 57....	149
GEORGE, REV. J.—Officiates as Chaplain.....	913
GILLESPIE, JOHN L.—Temporary Second Assistant Secretary.....	1
GILLILLAND, SHIRLEY—Senator Eighth District.	
On standing committees: Cities and Towns, chairman; Ways and Means; Judiciary; Public Libraries; Corporations; Claims; Horticulture and Forestry.	
Addresses Senate and Pioneer Law-Makers.....	723
Appointed on special committees.....	8, 125, 615, 1523
Calls up motion to reconsider.....	1161, 1464
Entitled to a seat.....	3
Files motion to reconsider.....	1159, 1301
Introduces Senate Files Nos. 11, 91, 111, 112, 113, 114, 115, 116, 117, 152, 172, 176, 188, 189, 194, 227, 249, 262, 283, 306, 338, 347.	
Leave of absence.....	40, 47
Makes request.....	113, 117, 276, 345, 473, 913, 959

GILLILLAND, SHIRLEY—Continued.		Page.
Mileage due.....		48
Motions by.....	141, 258, 380, 403, 423,	
	446, 453, 464, 519, 608, 609, 614, 637,	
	640, 651, 652, 654, 682, 685, 708, 719,	
	742, 743, 751, 763, 764, 765, 775, 776,	
	780, 787, 834, 849, 863, 881, 891, 909,	
	965, 973, 976, 979, 986, 987, 992, 1009,	
	1035, 1036, 1037, 1049, 1054, 1065, 1070, 1071,	
	1079, 1099, 1152, 1162, 1190, 1191, 1203, 1210,	
	1272, 1315, 1336, 1403, 1440, 1451, 1452, 1493, 1523	
Moves reconsideration.....		1162, 1167
Offers amendment.....		519
Offers substitute.....		789
On program for Washington's birthday.....		444, 454
Permitted to retain old seat, resolution.....		4
Present at joint conventions.....	51, 132,	1385
Presents petitions.....	212, 300, 375, 491, 512, 563, 1003, 1032,	1132
Presides.....		1354
Qualified.....		3, 4
Remarks on the work done by the Thirty-second General Assembly.....		1484
Submits report of committee.....	168, 227,	
	228, 229, 290, 392, 393, 442, 443,	
	515, 516, 583, 584, 659, 660, 662,	
	713, 714, 728, 914, 915, 993, 1223,	1224
GLYNDON, W. P.—Pardon denied.....		1224
GOPHERS, POCKET—Bounties on, House File No. 41.....		240
GOVERNOR—Addresses joint convention.....		92
Canvass of vote for.....		44, 45
Concurrent Resolution inviting, to read message before joint convention.....		9, 10
Certificate of election signed.....		45
Communications from.....	482, 748, 835, 848, 997,	1334
Committee appointed to wait upon.....		8
Compensation of private secretary, Senate File No. 122.....		192
	House File No. 168.....	601
Cummins, Albert B., declared elected.....		45
Inaugural address.....		52
Joint committee appointed to wait upon.....		12
Message from.....		12
Oath of office administered to.....		52
Reads message before joint convention.....		12
Veto of Senate File No. 169.....		848
GOVERNOR'S MANSION—To erect, Senate File No. 6.....		110
GRAHL, CHARLES H.—Messenger.....		101
GRAIN—Weighing of at terminals, Senate File No. 284.....		564
GRAIN COMBINATION—Among elevator men, to prohibit, House File No. 105.....		391
GRANGER—To legalize incorporation of town of, House File No. 245..		361
GRANT, REV. A. R.—Officiates as Chaplain.....		237
GREENFIELD—To legalize special election in, House File No. 21....		221
GUARANTY COMPANIES—Relative to, Senate File No. 142.....		202
	House File No. 38.....	196
GUARDIANS—To legalize conveyances by, House File No. 145.....		391
HAGEN, THOMAS—Assistant doorkeeper, elected and qualified..	1, 5,	6
HAGERMAN, REV. EDWARD T.—Officiates as Chaplain.....		117
HAGGETT, REV. A. J.—Officiates as chaplain.....		1
HAIL INSURANCE COMPANIES—Expenses of State mutuals, House File No. 402.....		827
HALEY, L. W.—Pardon denied.....		1226
HALL, REV. V. E.—Officiates as Chaplain.....		212

	Page.
HALL OF ARCHIVES—Appropriation, Senate File No. 26.....	121
HAMBRECHT, CONRAD F.—Committee Clerk.....	100
HAMILTON, JOHN T.—Appointed member of Board of Control by Governor	835
Appointment confirmed.....	1159
HAMMER, I. L.—Chief doorkeeper, elected and qualified.....	1, 5, 6
HAMMER, WILLIAM—Messenger.....	99
HARLAN, JAMES—Statue in National Statuary Hall, Senate File No. 183	288
HASSELQUIST, SUSIE W.—Committee Clerk.....	100
HEARTLY, MATTHEW—Messenger.....	99
HERRIOTT, JOHN—Lieutenant-Governor, President of Senate.	
Announces that Senate will proceed to House.....	11, 42, 51
Announces tellers of joint convention.....	43
Appoints special committees.....	2, 8, 12, 42, 46, 49
Calls Senate to order.....	1
Declares a quorum of members present at joint convention..	11, 43, 51
Mileage due.....	47
Presides at joint convention.....	11, 43, 51
Presented Lieutenant-Governor Garst to Senate.....	60
HICKMAN, RUTH—Committee Clerk.....	99
HIGHWAY COMMISSION—Publication of reports of, resolution.....	546
HIGHWAYS—(See Roads and Highways.)	
(See Committees, Standing.)	
HILL, REV. SHERMAN—Officiates as Chaplain.....	263
HILSCHER, REV. SOLOMON—Officiates as Chaplain.....	374
HISTORICAL, MEMORIAL AND ART BUILDING—Governor's message	19
Completion of, Senate File No. 182.....	288
HIX, REV. L. B.—Officiates as Chaplain.....	725
HODGDON, DOCTOR—On inaugural program for prayer.....	52
HOLBROOK, P. K.—Regent State University.....	1385, 1386, 1388
HOLMES, REV. O. H.—Officiates as Chaplain.....	183
HOPKINS, F. M.—Senator Seventeenth District.	
On standing committees: Railroads, chairman; Appropriations; Banks; Public Libraries; Telegraphs and Telephones; Penitentiaries and Pardons; Commerce.	
Appointed on special committees.....	2, 125, 1278, 1335, 1342, 1432
Asks unanimous consent.....	446
Entitled to a seat.....	3
Files motion to reconsider.....	1215
Mileage due.....	48
Motions by.....	1, 2, 4, 5, 46, 49, 100, 101, 283, 356, 370, 468, 498, 499, 504, 667, 794, 820, 843, 894, 912, 995, 996, 1012, 1109, 1121, 1149, 1164, 1258, 1261, 1276, 1383, 1491, 1493, 1501, 1509
Nominates officers.....	4, 5
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 51, 132
Presents petition.....	439
Qualified.....	3, 4
Raises point of order.....	1161
Returns bills from Committee on Railroads.....	1377, 1378
Submits report of committee.....	415, 422, 698, 699, 701, 753, 754, 755, 756, 883, 884, 885, 886, 949, 950, 1024, 1100, 1101, 1102, 1171, 1172
HORTICULTURE AND FORESTRY—Committee on, appointed.....	66
(See Committees, Standing.)	

	Page.
HOSPITAL FOR INEBRIATES—Appropriation for—	
Senate File No. 131.....	201
Senate File No. 286.....	579
Senate File No. 360.....	1099
Committee to visit, appointed.....	125
Report of.....	325
Commitments and releases, Senate File No. 333.....	871
House File No. 455.....	1020
Report of Board of Control on unexpended balances in treasury...	70
HOSPITALS—Construction of, House File No. 298.....	837
Construction by counties, Senate File No. 365.....	1186
HOSPITALS FOR INSANE—	
Settlement of insane persons, Senate File No. 322.....	781
Vacations for employes, Senate File No. 363.....	1171
Cherokee—Appropriation for, Senate File No. 147.....	203
Senate File No. 360.....	1099
Committee to visit, appointed.....	125
Report of.....	324
Report of Board of Control on unexpended balances in treasury	68
Clarinda—Appropriation for, Senate File No. 151.....	213
Senate File No. 360.....	1099
Committee to visit, appointed.....	125, 131
Report of.....	320
Report of Board of Control on unexpended balances in treasury	68
Independence—Appropriation for, Senate File No. 149.....	203
Senate File No. 360.....	1099
Committee to visit, appointed.....	125
Report of.....	322
Report of Board of Control on unexpended balances in treasury	70
Mount Pleasant—Appropriation for, Senate File No. 153.....	213
Senate File No. 220.....	389
Senate File No. 360.....	1099
Committee to visit, appointed.....	125
Report of.....	317
Right of way of interurban railway, Senate File No. 355.....	1056
House File No. 469.....	1196
Report of Board of Control on unexpended balances in treasury	71
HOSPITALS, MATERNITY—To regulate, Senate File No. 55.....	149
HOUSE BILLS—(See pages 1565 to 1585.)	
Committee of notification from . . . 9, 10, 42, 50, 131, 274, 454, 1384, 1522	
Concurrent Resolutions—(See page 1586.)	
Joint Resolutions—(See page 1586.)	
HUBBELL, F. M., ET AL.—To reimburse, Senate File No. 80.....	159
House File No. 101.....	674
HUDSON, W. J.—Assistant doorkeeper, elected and qualified.....	5, 6
HUFF, R. R.—Sergeant-at-Arms, elected and qualified.....	1, 5, 6
Offers prayer.....	1032
HUGHES, JOHN, JR.—Senator Twenty-fifth District.	
On standing committees: Senatorial and Representative Districts, chairman; Ways and Means; Agriculture; Public Libraries; Military; Labor; Building and Loan; Public Buildings.	
Addresses Senate.....	787
Appointed on special committees.....	46, 125, 1348
Entitled to a seat.....	3
Introduces Senate Files Nos. 79, 93, 170, 184, 209, 210, 211, 297, 352, 353.	
Makes request.....	237, 468
Mileage due.....	48
Motions by.....	110, 156, 182, 236, 237, 273, 405, 434, 435, 472, 724, 787, 836, 904, 927, 946, 1014, 1089, 1090, 1174, 1254, 1260, 1267, 1338, 1426

	Page.
HUGHES, JOHN JR.—Continued.	
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 51, 132, 1385
Presents petitions.....	263, 277, 288, 456, 563, 669
Presides	279
Qualified	3, 4
HUMBERT, S. B.—To reimburse, Senate File No. 226.....	390
HUMBOLDT—To legalize incorporation of, House File No. 420.....	789
To legalize additions to, House File No. 464.....	1196
HUNTERS—Licenses for, Senate File No. 68.....	157
Senate File No. 295.....	593
House File No. 243.....	783
Petitions	541, 578, 590
HUTCHINSON, ELEANOR M.—Committee Clerk.....	100
HYDE, CHERRY L.—Committee Clerk.....	100
HYZER, W. W.—Mail carrier, appointed, Joint Resolution No. 1.....	115
IMMORAL ACTS—To punish, House File No. 111.....	240
INAUGURATION—Concurrent Resolution authorizing appointment of joint committee on.....	7
Committee on, appointed.....	8
Report of.....	41
Ceremonies, program carried out.....	52
Governor Cummins' inaugural address.....	52
To defray expenses of, House File No. 119.....	211
INCORPORATION FEES—Relative to Senate File No. 243.....	441
INDEPENDENCE STATE HOSPITAL—(See Hospitals for Insane.)	
INDETERMINATE SENTENCES—To provide for, Senate File No. 30	122
INDEXES—To current legislation, purchase of, Senate File No. 49....	148
INDUSTRIAL SCHOOLS—	
At Eldora—Appropriation for, Senate File No. 134.....	201
Senate File No. 360.....	1099
Committee to visit, appointed.....	125
Report of.....	314
Report of Board of Control on unexpended balances in treasury	69
At Mitchellville—Appropriation for, Senate File No. 133.....	201
Senate File No. 360.....	1099
Committee to visit, appointed.....	125
Report of.....	316
Report of Board of Control on unexpended balances in treasury	71
Transfer of funds.....	67
INEBRIATES—(See Hospital for Inebriates.)	
INGHAM, HARVEY—Addresses Senate.....	110
INHERITANCE TAX—Governor's message.....	21
Relative to collection of, Senate File No. 362.....	1125
INQUESTS—Examination of witnesses, etc., House File No. 81.....	231
INSANE—(See Hospitals for Insane.)	
Settlement of insane persons, Senate File No. 322.....	781
INSANITY, COMMISSIONERS OF—Relative to, Senate File No. 320..	776
INSPECTION—Of petroleum products, Senate File No. 307.....	667
INSPECTION OF BOILERS—To provide for, Senate File No. 193....	301
Senate File No. 250....	474
INSTITUTE FOR THE DEAF—(See School for the Deaf.)	
INSTITUTION FOR FEEBLE-MINDED—Appropriation—	
Senate File No. 172.....	255
Senate File No. 360.....	1099
Committee to visit, appointed.....	125
Report of.....	312
Report of Board of Control on unexpended balances in treasury...	70

	Page.
INSURANCE—Committee on, appointed.....	62
(See Committees, Standing.)	
Apportionment and accounting of surplus, House File No. 274....	750
House File No. 273....	783
Assignment of life policies, House File No. 286.....	793
Capital stock of companies, Senate File No. 42.....	143
Department of, to create, Senate File No. 15.....	118
Petitions	541, 552, 553, 579, 592
Disbursements, regulation of, Senate File No. 21.....	119
House File No. 47.....	169
Distribution of dividends in certain stock companies, Senate File No. 159.....	214
Examination of companies, Senate File No. 1.....	101
House File No. 2.....	116
Expenses of life companies, House File No. 361.....	750
Expenses of mutual hail companies, House File No. 402.....	827
Fraternal accident associations, relative to, Senate File No. 16....	118
Fraternal beneficiary societies, acquisition of real estate, Senate File No. 267.....	523
Investment of funds of, Senate File No. 22.....	120
Senate File No. 261.....	514
Rates of, Senate File No. 23.....	120
House File No. 50.....	360
Relative, to Senate File No. 14.....	118
To regulate, Senate File No. 216.....	375
Investment of funds of companies other than life—	
House File No. 292.....	547
Senate File No. 369.....	1300
Minority representation, Senate File No. 50.....	148
Mutual fire, tornado, etc., companies, Senate File No. 70.....	158
Rebates on premiums, Senate File No. 309.....	669
Reincorporation of assessment life companies as legal reserve com- panies, Senate File No. 12.....	118
House File No. 48.....	169
Relating to life companies, House File No. 239.....	362
Removal of goods covered by insurance, Senate File No. 128.....	200
House File No. 345.....	586
Soliciting and using proxies, House File No. 360.....	794
Taxation of insurance companies, Senate File No. 10.....	113
Taxes paid by insurance companies, Senate File No. 239.....	440
To prohibit misrepresentations by life companies, House File No. 275	508
Uniform policy for fire companies, Senate File No. 13.....	118
House File No. 49.....	554
Valuation of life policies, House File No. 341.....	827
INTELLIGENCE OFFICES—To regulate, House File No. 164.....	350
House File No. 140.....	361
INTEREST—On deposits of municipal corporations, Senate File No. 115	186
INTERURBAN RAILWAYS—Acquisition of terminals and power—	
Senate File No. 287.....	579
House File No. 479.....	1160
Conditional sale or lease of power house, etc., Senate File No. 340..	907
Relative to, Senate File No. 316.....	726
Right of way over certain State land, Senate File No. 355.....	1056
House File No. 469.....	1196
INTOXICATING LIQUORS—C. O. D. deliveries, Senate File No. 51... 148	
County Attorney to enforce laws, Senate File No. 331.....	844
General consent petitions, House File No. 269.....	555
Restraint of handling in special charter cities, Senate File No. 342. 914	
Petitions relative to.....	276, 540, 552, 553, 562, 563, 618, 645, 689, 725, 882

INTOXICATING LIQUORS—Continued.	Page.
Sale near military reservations, Senate File No. 330.....	831
Sale to minors, etc., House File No. 476.....	1337
Sale, manufacture and transportation of, Senate File No. 165.....	238
State Marshal law, Senate File No. 223.....	389
Petitions	212, 263, 288, 299, 300, 374, 375, 387, 406, 407, 439, 456, 473, 491, 541, 552, 562, 592, 645, 688, 725, 798, 799
Taxation of persons holding in storage, Senate File No. 188.....	289
Senate File No. 337.....	899
Taxation of persons taking orders for future delivery, Senate File No. 189.....	289
To regulate disposition of, received from express companies, Senate File No. 52.....	148
Treating with, Senate File No. 297.....	594
IOWA LEAGUE OF MUNICIPALITIES—Dues in, House File No. 278.....	827
IOWA NATIONAL GUARD—Camp ground, special message.....	997
Senate File No. 351.....	1030
Relative to, Senate File No. 45.....	144
House File No. 353.....	1038
IOWA SOLDIERS AND SAILORS—Roster of, Governor's message....	20
Senate File No. 43.....	143
House File No. 79.....	1010
IOWA STATE POULTRY ASSOCIATION—Meetings, Senate File No. 260	514
Petition	277
IRISH, JOHN S.—Journal Clerk, elected and qualified.....	1, 5, 6
IRVIN, P. S.—Temporary janitor cloak room.....	1
ITINERANT VENDORS—Vocation of, Senate File No. 201.....	346
JACKSON, JOHN H.—Senator Thirty-second District.	
On standing committees: Educational Institutions, chairman; Judiciary; Railroads; Cities and Towns; Suppression of Intem- perance; Charitable Institutions; Compensation of Public Offi- cers; Public Buildings; Constitutional Amendments and Suff- rage.	
Appointed on special committees.....	8, 125, 419, 1342, 1346, 1433
Congratulated on marriage by President Herriott.....	50
Entitled to a seat.....	3
Explains vote.....	1494
Introduces Senate Files Nos. 61, 66, 83, 215, 219, 309, 324, 350.	
Introduces Senate Joint Resolution No. 4.	
Leave of absence.....	224, 237
Makes request.....	164, 1161
Mileage due.....	48
Motions by.....	135, 137, 371, 518, 531, 532, 534, 536, 575, 746, 765, 774, 809, 817, 868, 869, 896, 932, 956, 957, 961, 1013, 1051, 1122, 1273, 1286, 1287
Offers resolutions.....	137, 1016
Permitted to retain old seat.....	4
Present at joint conventions.....	11, 43, 51, 132, 1385
Presented petitions.....	492, 541
Responds to congratulations.....	50
Qualified	3, 4
Seconds nomination of Dolliver for Senate in Congress.....	124
JAMESTOWN EXPOSITION—Governor's message.....	16
JAMIESON, MATTIE—Clerk for Senator Jamieson of Page.....	100
JAMIESON, WILLIAM D.—Senator Seventh District.	
On standing committees: Railroads; Suppression of Intem- perance; Constitutional Amendments and Suffrage; Military; Edu- cational Institutions; Printing; Manufactures; Public Build- ings.	

	Page.
JAMIESON, WILLIAM D.—Continued.	
Appointed on special committees.....	125, 275, 1516
Clerk for.....	100
Draws seat No. 49.....	4
Entitled to a seat.....	2
Explains vote.....	822
Introduces Senate Files Nos. 51, 52, 151, 175, 202, 348.	
Leave of absence.....	127
Mileage due.....	48
Motions by.....	244, 274, 275, 573, 703, 733, 1017, 1018, 1042, 1063, 1295, 1516
Offers resolution.....	244
Present at joint conventions.....	11, 43, 51
Presents petition.....	563
Qualified.....	3, 4
JANISON, JAMES H.—Senator Eleventh District.	
On standing committees: Congressional and Judicial Districts, chairman; Judiciary; Railroads; Schools; Constitutional Amendments and Suffrage; Educational Institutions; Mines and Mining; Compensation of Public Officers.	
Addresses Senate.....	1314
Appointed on special committees.....	42, 49, 100, 419, 460, 1009, 1308, 1342, 1346
Asks unanimous consent.....	110, 209, 895
Entitled to a seat.....	3
Files motion to reconsider.....	715
Introduces Senate Files Nos. 1, 12, 13, 14, 15, 16, 70, 122, 128, 159, 252.	
Leave of absence.....	113, 183, 237, 253, 263, 357, 473, 749, 945, 959
Makes request.....	513
Mileage due.....	48
Motions by.....	6, 110, 130, 198, 210, 538, 549, 560, 640, 641, 650, 705, 715, 731, 732, 825, 898, 925, 933, 1011, 1013, 1039, 1057, 1086, 1087, 1109, 1123, 1183, 1184, 1247, 1251, 1305, 1308, 1344, 1346, 1382, 1384, 1430, 1434, 1456, 1485, 1488
Offers resolutions.....	6, 1485
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	43, 132, 1385
Presents petitions.....	385, 645
Presides.....	510
Qualified.....	3 4
Submits report of committee.....	918
JANITORS—Temporary, chosen and qualified.....	1
Permanent, elected and qualified.....	5, 6
Badges for.....	7
Permitted to retain badges.....	1485
JEPSON, C. N.—Elected editor of Code Supplement.....	137, 138
JOINT CONVENTIONS—Concurrent resolution relative to hold- ing.....	9, 38, 123, 244, 403, 1334
Sessions held.....	11, 43, 51, 131, 275, 454, 1385
JOINT RATES—Petitions relative to.....	277, 1003
Relating to, Senate File No. 202.....	358
House File No. 282.....	837
JOINT RESOLUTIONS—House—(See page 1586.)	
Senate—(See page 1563.)	
JONES, C. F.—To indemnify, Senate File No. 301.....	607
JONES, REV. ELIJAH B.—Officiates as Chaplain.....	1347
JONES, REV. J. B.—Officiates as Chaplain.....	151
JONES, J. S.—Trustee Agricultural College.....	1385, 1386, 1388

	Page.
JONES, W. J.—Assistant mail carrier, Joint Resolution No. 1.....	115
JONES, WILLIAM G.—Senator Fourteenth District.	
On standing committees: Building and Loan, chairman; Judiciary; Cities and Towns; Rules; Charitable Institutions; Commerce; Public Health.	
Appointed on special committees.....	125, 419, 1278
Asks permission to vacate old seat and select new one.....	4
Draws seat No. 45.....	4
Entitled to a seat.....	3
Explains vote.....	282
Introduces Senate Files Nos. 89, 90, 310.	
Leave of absence.....	172
Makes request.....	589, 882, 913
Mileage due.....	48
Motions by.....	220,
257, 280, 344, 379, 402, 410, 421, 498,	
506, 532, 626, 662, 705 706, 734, 796,	
805, 806, 995, 1100, 1111, 1186, 1276, 1320, 1357	
Offers amendment.....	220, 498, 506
Offers resolution.....	49
Present at joint conventions.....	43, 51, 132
Presents petitions.....	345, 387, 388, 541, 668, 1003
Qualified.....	3, 4
Submits report of committee.....	1319
JOURNAL CLERKS—Temporary, chosen and qualified.....	1
Permanent, elected and qualified.....	5 6
JUDGES—Relative to, House File No. 475.....	1337
JUDGMENTS—In divorce actions, Senate File No. 66.....	155
JUDICIARY—Committee on, appointed.....	61
(See Committees, Standing.)	
JURORS—Challenge for cause, Senate File No. 79.....	159
Drawing of, petition.....	669
Excusing persons from jury service, Senate File No. 186.....	289
Fees and mileage, House File No. 307.....	925
JURY LISTS—Courts to provide new, House File No. 104.....	391
JUSTICES OF PEACE—Compensation, House File No. 231.....	1138
KENDRICK, REV. J. C.—Officiates as Chaplain.....	798
KIMMEL, FANNY—Committee Clerk.....	100
KIMMEL, WILLIAM C.—Senator Forty-ninth District.	
On standing committees: Fish and Game, chairman; Ways and Means; Agriculture; Senatorial and Representative Districts; Telegraphs and Telephones; Pharmacy; Printing; Federal Relations.	
Appointed on special committee.....	125
Asks unanimous consent.....	891
Entitled to a seat.....	3
Introduces Senate Files Nos. 67, 68, 180, 197, 295, 296.	
Leave of absence.....	237, 473, 536, 539, 745, 1457
Makes request.....	299, 345, 523, 1117, 1161, 1179, 1217
Mileage due.....	48
Motions by.....	853, 1051, 1052
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 51, 132
Presents petitions.....	102, 212
Qualified.....	3, 4
Submits report of committee.....	304, 305, 449, 715, 716, 889, 890
KINDERGARTEN TEACHERS—Requirements of, House File No. 427.....	857

	Page.
KINNE, GEORGE—Senator Forty-seventh District.	
On standing committees: Highways, chairman; Appropriations; Agriculture; Schools; Senatorial and Representative Districts; Elections; Charitable Institutions; Horticulture and Forestry.	
Appointed on special committee.....	125
Entitled to a seat.....	3
Introduces Senate Files Nos. 106, 132, 263, 264, 269, 278, 313.	
Leave of absence.....	112, 299, 357, 781, 1117, 1161, 1179, 1217
Makes request.....	539, 749, 934
Mileage due.....	48
Motions by.....	111, 421, 422, 711, 907, 945, 946, 947, 993
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 51, 132
Presents petitions.....	386, 540, 541, 593, 646, 798
Qualified.....	3, 4
Submits report of committee.....	244, 410, 504, 648, 824, 856, 972, 1105
KINSMAN, MARIE E.—Committee Clerk.....	100
KONVALINKA, IRENE—Committee Clerk.....	100
KOON, DOLLIE—Committee Clerk.....	150
KREMERS, REV. H.—Officiates as Chaplain.....	147
LABELS—Relative to, Senate File No. 19.....	119
Senate File No. 71.....	158
On binder twine, Senate File No. 230.....	408
LABOR—Committee on, appointed.....	64
(See Committees, Standing.)	
LABORATORY, STATE—Maintenance of, Senate File No. 25.....	121
LA FOLLETTE, MARY—Committee Clerk.....	117
LAKE BEDS—Sale of meandered, Senate File No. 156.....	213
House File No. 179.....	362
House File No. 270.....	479
LAMBERT, THOMAS—Senator Twenty-third District.	
On standing committees: Manufactures, chairman; Ways and Means; Suppression of Intemperance; Schools; Public Libraries; Labor; Pharmacy; Printing; Fish and Game.	
Appointed on special committees.....	2, 42, 125, 1194
Asks unanimous consent.....	548, 601
Entitled to a seat.....	3
Explanation of vote.....	795, 796, 822
Introduces Senate Files Nos. 96, 208, 275, 276, 298.	
Leave of absence.....	237, 253, 263, 913
Makes request.....	127, 551
Mileage due.....	48
Motions by.....	187, 380, 383, 433, 586, 591, 603, 639, 662, 665, 675, 682, 707, 709, 752, 753, 820, 870, 897, 1051, 1141, 1142, 1150, 1168, 1169, 1324, 1344
Moves reconsideration.....	1162
Offers resolutions.....	187, 383, 709
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 51, 132
Presents petitions.....	491, 1073
Presides.....	1085
Qualified.....	3, 4
LAMBLY, REV. M. O.—Officiates as Chaplain.....	50
LARCENY—Of water, gas, electricity, etc., Senate File No. 240.....	440
LASCIVIOUS ACTS—To punish, House File No. 111.....	240
LEE COUNTY—To legalize acts of supervisors of, Senate File No. 323.....	781

LEGALIZING ACTS—

To legalize—

	Page.
Acts of city council of—	
Anamosa, Senate File No. 46.....	144
Bayard, House File No. 483.....	1351
Bedford, House File No. 197.....	612
Dexter, House File No. 444.....	1160
LeMars, Senate File No. 108.....	184
House File No. 147.....	507
Leon, Senate File No. 29.....	121
Milford, House File No. 491.....	1373
Mondamin, Senate File No. 314.....	706
Mount Pleasant, Senate File No. 24.....	120
Oelwein, Senate File No. 372.....	1412
Pocahontas, Senate File No. 259.....	513
Stockport, House File No. 401.....	788
Acts of certain maternity homes, Senate File No. 348.....	1004
Acts of Supervisors of—	
Appanoose county, Senate File No. 64.....	154
Lee county, Senate File No. 323.....	781
Van Buren county, Senate File No. 62.....	152
Action of members of Florence Crittenton Home, Senate File No. 324.....	792
Action of certain school districts in Wapello county, Senate File No. 337.....	899
Additions to town of Humboldt, House File No. 464.....	1136
Annexation of territory to Centerville, Senate File No. 356.....	1095
House File No. 473.....	1197
Certain administrations of oaths, etc., House File No. 114.....	260
Consolidation of Dunleith & Dubuque Bridge Companies, Senate File No. 60.....	151
Consolidation of school districts in Ottumwa, House File No. 453.....	992
Conveyances by executors, House File No. 145.....	391
Election in town of Belmond, Senate File No. 370.....	1306
Incorporation of town of—	
Bridgewater, House File No. 251.....	424
Clutier, House File No. 294.....	479
Garwin, House File No. 380.....	788
Granger, House File No. 245.....	361
Humboldt, House File No. 420.....	789
Linden, House File No. 283.....	458
Prairieburg, House File No. 470.....	1197
Ordinances of city of—	
Red Oak Junction, Senate File No. 283.....	564
Tama, Senate File No. 326.....	793
Town of Nodaway, Senate File No. 343.....	946
Plat of addition to Macksburg, Senate File No. 274.....	553
Plats made by County Auditors, House File No. 211.....	350
Special election in town of Greenfield, House File No. 21.....	221
Submission of certain questions to voters of Chickasaw county, House File No. 242.....	361
LEMARS—To legalize acts of council of, Senate File No. 108.....	184
House File No. 147.....	507
LENOX COLLEGE—Invitation to attend fiftieth anniversary.....	1347
LEON, ABE—Messenger.....	99
LEON, CITY OF—To legalize acts, etc., Senate File No. 29.....	121
LEPPER, JOHN—Monument for grave of, Senate File No. 124.....	192
House File No. 138.....	479

	Page.
LEVEES—Relative to construction of, Senate File No. 8.....	113
Senate File No. 37.....	142
House File No. 59.....	204
House File No. 60.....	221
Relative to, built by United States, Senate File No. 104.....	184
Senate File No. 105.....	184
LEWDNESS—To punish, House File No. 111.....	240
LIBRARIES, PUBLIC—Committee on, appointed.....	65
(See Committees, Standing.)	
(See Public Libraries.)	
LICENSES—For hunters, Senate File No. 68.....	157
Senate File No. 295.....	593
House File No. 243.....	783
LIEUTENANT-GOVERNOR—Canvass of vote for.....	44, 45
Presides at joint conventions.....	11, 43, 51, 131, 275, 454, 1385
Warren Garst declared elected.....	45
(See Herriott, John.)	
(See Garst, Warren.)	
LIFE INSURANCE—(See Insurance.)	
LIMITATIONS—Of actions, Senate File No. 35.....	129
Senate File No. 117.....	186
Senate File No. 288.....	579
Senate File No. 303.....	634
LINDEN—To legalize incorporation of, House File No. 283.....	458
LIVE STOCK—Transportation of, on railroads, House File No. 52..	302
Senate File No. 373*.....	1437
Petitions	253, 540, 563, 590, 593
LOBBYISTS—Governor's message.....	26
LOCAL BOARD OF HEALTH—Powers of, Senate File No. 114.....	186
House File No. 173.....	1038
LOGAN, JEFF—Chief janitor.....	1, 5, 6
LOST—Certificates of purchase, Senate File No. 54.....	149
Executions, Senate File No. 162.....	224
Tax sale certificates, House File No. 70.....	221
LOVERIN, T. C.—To confirm title in, Senate File No. 9.....	113
LYING-IN HOSPITALS—To regulate, Senate File No. 55.....	149
McAHREN, W. J.—To reimburse, Senate File No. 334.....	883
McALPIN, L. P.—Temporary assistant doorkeeper.....	1
McCAUSLAND, FREDA A.—Clerk for Senator McManus.....	110
Clerk for Secretary of Senate.....	217
McCURDY, TIMOTHY—Appointed Custodian.....	748
Appointment confirmed.....	1159
McCUTCHEEN, R. R., ET AL.—To reimburse, Senate File No. 80...	159
House File No. 101.....	674
McELROY, W. O.—Trustee Agricultural College.....	1385, 1386, 1389
McFADDEN, REV. SAMUEL D.—Officiates as Chaplain.....	1306
McFADDEN, W.—Assistant doorkeeper, elected and qualified.....	5, 6
McGAUGH, DOLORES—Committee Clerk.....	100
McINTYRE, EX-SENATOR—Addresses Senate.....	125
McINTYRE, W. A.—Trustee State Normal School.....	1385, 1386, 1390
McKLVEN, J. A.—Senator Fourth District.	
On standing committees: Pharmacy, chairman; Agriculture; Cities and Towns; Banks; Constitutional Amendments and Suffrage; Public Health; Mines and Mining.	
Addresses Senate.....	1312
Appointed on special committees.....	42, 125, 684
Assigned seat No. 1.....	4
Entitled to a seat.....	2
Introduces Senate Files Nos. 33, 40, 41.	
Leave of absence.....	112, 749, 934

*Erroneously printed Senate File No. 376.

McKLVEEN, J. A.—Continued.	Page.
Makes request.....	1435
Mileage due.....	48
Motions by.....	39, 219, 220, 256, 683
Offers resolutions.....	39, 683
Present at joint conventions.....	11, 43, 51, 132, 1385
Presents petitions.....	183, 374, 406,
	407, 408, 439, 541, 592, 645, 798, 883, 1270
Qualified.....	3, 4
Submits report of committee.....	347, 471, 619, 686, 1053, 1311
McMANUS, E. P.—Senator First District.	
On standing committees: Ways and Means; Senatorial and Rep- representative Districts; Telegraphs and Telephones; Labor; Mines and Mining; Rules; Claims; Public Buildings.	
Appointed on special committees.....	125, 684
Asks unanimous consent.....	624
Clerk for.....	110, 223
Draws seat No. 38.....	4
Entitled to a seat.....	2
Explains vote.....	822
Introduces Senate Files Nos. 161, 165, 167, 168, 232, 311, 323, 328, 368.	
Leave of absence.....	47, 183, 539 1086
Mileage due.....	48
Motions by.....	623, 624, 625, 664,
	665, 872, 974, 975, 1047, 1056, 1185, 1186, 1377
Present at joint conventions.....	11, 43, 51, 132
Presents petition.....	590
Qualified.....	3, 4
McMANUS BILL—Petitions relative to.....	522, 540, 553, 592
McPHERSON, ORMAN—Committee on Pardons recommends parole for.....	1230
Concurrent Resolution authorizing Governor to parole.....	1230, 1297
MACHINERY—Safeguarding of, Senate File No. 210.....	363
	House File No. 228..... 424
MACKSBURG—To legalize plat of addition to, Senate File No. 274....	553
MAIL CARRIERS—Appointment of, Senate Joint Resolution No. 1....	114
MANDAMUS—Actions of, House File No. 72.....	240
MANKMAN, REV. GEORGE E.—Officiates as Chaplain.....	539
MANUFACTURES—Committee on, appointed.....	66
(See Committees, Standing.)	
MAPS—Purchase of Railroad Commissioners', Senate File No. 32.....	128
MARRIAGES—Relative to, House File No. 363.....	641
MARRIAGE LICENSES—Relative to, Senate File No. 89.....	167
MASON, ISAAC—Monument for, Senate File No. 266.....	523
MASON, JOHN—Committee recommends parole of.....	1229, 1230
Concurrent Resolution authorizing Governor to parole.....	1230, 1298
House Joint Resolution authorizing Governor to parole.....	1299
MATERNITY HOSPITALS—To regulate, Senate File No. 55.....	149
To legalize acts of certain, Senate File No. 348.....	1004
MATTES, JOSEPH—Senator Forty-eighth District.	
On standing committees: Penitentiaries and Pardons, chairman; Appropriations; Railroads; Suppression of Intemperance; Fish and Game; Senatorial and Representative Districts; Telegraphs and Telephones; Federal Relations.	
Appointed on special committees.....	8, 100, 125, 150, 1089, 1194
Draws seat No. 37.....	4
Entitled to a seat.....	2
Files motion to reconsider.....	1178, 1311
Introduces Senate Files Nos. 50, 97, 270, 285, 317.	
Leave of absence.....	106, 113, 238, 253, 618, 1457
Makes request.....	224, 473, 551

MATTES, JOSEPH—Continued.	Page.
Mileage due.....	48
Motions by.....	38,
150, 232, 372, 499, 500, 506, 578, 676,	
738, 739, 740, 864, 990, 1012, 1050, 1083,	
1084, 1150, 1182, 1209, 1231, 1297, 1298, 1299, 1430	
Offers resolution.....	150
Present at joint convention.....	11, 43, 51, 132, 1385
Presents petitions.....	128, 287,
299, 387, 491, 541, 562, 593, 689, 798, 1417	
Raises point of order.....	232
Qualified.....	3, 4
Submits report of committee.....	1005,
1026, 1114, 1224, 1225, 1226, 1227, 1228, 1229, 1230	
MAYTAG, FRED L.—Senator Twenty-ninth District.	
On standing committees: Appropriations, chairman; Railroads;	
Insurance; Elections; Telegraphs and Telephones; Labor; Mines	
and Mining; Claims.	
Appointed on special committees.....	100, 125, 710
Asks unanimous consent.....	356, 797, 836, 896
Entitled to a seat.....	2
Introduces Senate Files Nos. 77, 158, 265, 320, 333, 334, 357, 358, 359,	
360, 366, 367, 374, 375.	
Introduces Senate Joint Resolutions Nos. 7, 8.	
Leave of absence.....	224, 551
Makes request.....	106,
113, 238, 253, 522, 604, 618, 913, 959, 1457	
Mileage due.....	48
Motions by.....	6, 107, 168, 177,
182, 197, 242, 247, 248, 249, 250, 285,	
384, 403, 404, 448, 465, 466, 467, 469,	
630, 631, 735, 737, 738, 762, 779, 785,	
938, 968, 969, 981, 1007, 1008, 1009, 1029,	
1031, 1044, 1045, 1053, 1054, 1191, 1192, 1193,	
1194, 1195, 1201, 1202, 1203, 1204, 1205, 1206,	
1209, 1247, 1255, 1327, 1328, 1354, 1355, 1356,	
1357, 1358, 1359, 1360, 1361, 1410, 1414, 1415,	
1457, 1463, 1465, 1466, 1477, 1478, 1479, 1486, 1499	
Offers resolutions.....	6, 107, 168
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	43, 132, 1385
Presents petitions.....	288, 374, 387, 540, 593, 689, 1417
Qualified.....	3, 4
Submits statement.....	1365
Submits report of committee.....	176, 242, 243, 267, 306, 369,
394, 396, 452, 425, 544, 584, 594, 595,	
647, 648, 684, 705, 759, 760, 762, 801,	
802, 845, 846, 887, 888, 921, 970, 971,	
1096, 1097, 1189, 1249, 1250, 1281, 1288, 1321,	
1325, 1349, 1350, 1406, 1407, 1408, 1409, 1410, 1411	
MEANDERED LAKE BEDS—Sale of, Senate File No. 156.....	213
House File No. 179.....	362
House File No. 270.....	479
MEASURES—Relative to weights and, Senate File No. 319.....	747
MEDICINES—Manufacture and sale of patent and proprietary, Senate	
File No. 33.....	128
Throwing samples of, House File No. 424.....	837
(See Drugs.)	
MEMORIAL DAY—Petition relative to sports on.....	102,
128, 147, 263, 374, 375, 455	
To prevent desecration of, House File No. 151.....	301

	Page.
MERCHANDISE—Bulk sales of, Senate File No. 196.....	301
Removal of, covered by insurance, Senate File No. 128.....	200
House File No. 345.....	586
MESSAGE, BIENNIAL—Governor invited to read, before joint con- vention, Concurrent Resolution.....	9
Governor reads, before joint convention.....	12
Printed in Journal.....	12, 37
MESSENGERS—Temporary, chosen and qualified.....	1
Permanent, elected and qualified.....	99, 101
Appointment of three additional, Concurrent Resolution.....	7, 100
Badges for.....	7
Permitted to retain badges.....	1485
MEYER, JOSEPH E.—Second Assistant Secretary, elected and qual- ified.....	5, 6
MILEAGE—Committee on, appointed.....	8
Report of.....	47
MILEAGE—Of jurors, House File No. 307.....	925
MILFORD—To legalize acts of town council of, House File No. 491... 1373	
MILITARY—Committee on, appointed.....	64
(See Committees, Standing.)	
Relative to, Senate File No. 45.....	144
House File No. 353.....	1038
MILITARY POSTS—Sale of intoxicating liquors near, Senate File No. 330.....	831
MILLER, OLLIE F.—Committee Clerk.....	100
MINES AND MINING—Committee on, appointed.....	64
(See Committees, Standing.)	
Examining and firing shots in mines, House File No. 212.....	602
Explosives in mines, what prohibited, Senate File No. 81.....	164
MISBRANDED—Definition of term, Senate File No. 71.....	158
MONDAMIN—To legalize acts of town council of, Senate File No. 314.....	706
MONUMENT—For grave of—	
Nathan Winton, Senate File No. 110.....	185
John Lepper, Senate File No. 124.....	192
House File No. 138.....	479
Ex-Governor W. M. Stone, House File No. 11.....	221
Indian Chief Black Hawk, Senate File No. 168.....	254
Revolutionary soldier buried at Center Point, House File No. 161.....	479
Isaac Mason, Senate File No. 266.....	523
Ansel Briggs, Senate File No. 298.....	594
MOON, EDWIN G.—Senator Thirteenth District.	
On standing committees: Judiciary; Cities and Towns; Insurance; Congressional and Judicial Districts; Military; Educational In- stitutions; Mines and Mining; Enrolled Bills.	
Address of welcome to Pioneer Law-Makers.....	722
Addresses Senate.....	1315
Appointed on special committees.....	99, 125, 131, 150, 419
Draws seat No. 5.....	4
Entitled to a seat.....	2
Explains vote.....	822
Files motion to reconsider.....	1057
Introduces Senate Files Nos. 36, 92, 145, 146, 192, 337, 364.	
Leave of absence.....	106, 112, 131, 345, 913
Makes request.....	262, 357
Mileage due.....	48
Motions by.....	261, 270, 271, 470, 575, 1015, 1034, 1036, 1333, 1345, 1515, 1516
Nominates Claude R. Porter for Senator in Congress.....	124
Offers amendment.....	575, 808

	Page.
MOON, EDWIN G.—Continued.	
Present at joint conventions.....	11, 43, 51, 132, 1385
Presents petitions.....	276, 456, 540, 669
Qualified	3, 4
MORTGAGES—Assignment, release and satisfaction of, Senate File No. 40.....	143
Taxation of, Senate File No. 83.....	164
Senate File No. 191.....	300
MOTOR VEHICLES—Relative to, Senate File No. 206.....	359
MOUNT PLEASANT—Town of, to legalize acts of, Senate File No. 24	120
MUNICIPAL CORPORATIONS—(See Cities and Towns.)	
MURPHY, ALICE—Clerk for Senator Wade.....	100
MURRAY, REV. M. B.—Officiates as Chaplain.....	1457
NAGEL, REV. G. F.—Officiates as Chaplain.....	688
NEWBERRY, BYRON W.—Senator Thirty-sixth District.	
On standing committees: Labor, chairman; Ways and Means; Judiciary; Agriculture; Railroads; Telegraphs and Telephones; Printing; Pharmacy.	
Appointed on special committees.....	2, 12, 99, 104, 125, 1432
Asks unanimous consent.....	160, 191, 466, 517, 758
Entitled to a seat.....	3
Introduces Senate Files Nos. 18, 19, 31, 32, 47, 71, 204, 230, 318.	
Leave of absence.....	522, 539
Makes request.....	4, 41, 42, 112, 127, 172, 183, 209
Mileage due.....	48
Motions by.....	12, 99, 126, 177, 194, 195, 355, 510, 585, 654, 655, 676, 789, 811, 863, 866, 867, 896, 897, 898, 904, 909, 983, 1066, 1110, 1167, 1168, 1185, 1332, 1347, 1461
Offers resolution.....	99, 1347
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 51, 132, 1385
Presents petitions.....	103, 387, 645, 688
Qualified	3, 4
Submits report of committee.....	503, 730, 731, 1233
NEWMAN, GEORGE A.—Secretary of the Senate.....	1, 5, 6
(See Secretary of the Senate.)	
NEWSPAPERS—Compensation for publishing laws, Senate File No. 27	121
(See Official Newspapers.)	
NICHOLS, J. I.—Senator Twentieth District.	
On standing committees: Engrossed Bills, chairman; Agriculture; Public Health; Corporations; Highways; Rules; Compensation of Public Officers; Claims.	
Appointed on special committee.....	1278
Draws seat No. 15.....	4
Entitled to a seat.....	2
Introduces Senate Files Nos. 72, 94, 105, 218, 300.	
Leave of absence.....	131, 345, 357, 882, 913
Mileage due.....	48
Motions by.....	720, 834, 1009
Present at joint conventions.....	11, 43, 51, 1385
Presents petitions.....	212, 386, 749, 689, 882
Qualified	3, 4
NODAWAY—To legalize ordinances of town of, Senate File No. 343..	946
NON-RESIDENT EXECUTORS—Relative to—	
Senate File No. 143.....	202
House File No. 91.....	859
NORMAL INSTITUTE—Petitions relative to.....	541, 562, 578
Support of, House File No. 260.....	602

	Page.
NORMAL SCHOOL—(See State Normal School.)	
NORRIS, J. A.—Committee Clerk.....	100
NOTARIES PUBLIC—Relating to commissions of, Senate File No. 255	502
NOTICES—Publication of certain, House File No. 204.....	362
House File No. 463.....	1195
NUGENT, REV. J. F.—Officiates as Chaplain.....	142
NURSES—Examination and registration of, Senate File No. 78.....	159
Petition	183
OATHS—Administration of, Senate File No. 130.....	200
To legalize certain administrations of, House File No. 114.....	260
OELWEIN—To legalize acts of city council of, Senate File No. 372..	1412
OFFICERS OF THE SENATE—Elected and qualified.....	1, 4, 5, 6
OFFICIAL NEWSPAPERS—Bona fide subscribers, Senate File No. 179	278
OKOBOJI LAKE—Lock canal between Spirit Lake and, Senate File No. 278.....	563
O'MAY, REV. JAMES—Officiates as Chaplain.....	455
OPTOMETRY—Practice of, House File No. 268.....	1072
Petition relative to.....	1179
ORTH, REV. JOHN C.—Officiates as Chaplain.....	1179, 1270
OSTEOPATHY—Practice of, House File No. 461.....	1337
Petition relative to.....	1104, 1417, 1435
OTTEN, OTTO—Pardon denied.....	1226
OTTUMWA—To legalize consolidation of school districts, Senate File No. 337.....	899
PAINTS AND OILS—Labels for, Senate File No. 19.....	119
PALMER, REV. T. B.—Officiates as Chaplain.....	578
PARDON—Denied to, Burns, James.....	1227
Foster, M. B.....	1229
Glyndon, W. P.....	1224
Haley, L. W.....	1226
Otten, Otto.....	1226
Penny, John.....	1226
Rainsbarger, Frank.....	1225
Rainsbarger, Nathan.....	1225
Robbard, Hugh.....	1228
Steel, John G.....	1224
Stegal, Charles.....	1227
Storms, Alexander D.....	1228
Taylor, J. B.....	1228
Toole William.....	1227
Warren, Elmer.....	1225
Watson, Thomas W.....	1226
Weems, George.....	1229
Williams, G. A.....	1227
PARDONS AND PAROLES—Governor's message.....	15
To provide for system of reform and parole, Senate File No. 30.....	122
PAROLE—Recommended for, John Mason.....	1229, 1230
Orman McPherson.....	1230
Betsey Smith.....	1230
PARK COMMISSIONERS—Relative to, Senate File No. 341.....	914
House File No. 411.....	1038
PARSONS, REV. F. W.—Officiates as Chaplain.....	668
PARSONS, JAMES SEBY—Relief of grantees of, House File No. 429..	857
PASSES, FREE—To prohibit, Senate File No. 93.....	167
House File No. 379.....	666
PASSENGER RATES—Relative to, Senate File No. 4.....	104
Senate File No. 91.....	167
House File No. 220.....	271
PASSENGERS—To promote safety and health of, on street railways, Senate File No. 92.....	167

	Page.
PATENT—Issuance of, to S. S. Judge, Senate File No. 87.....	165
PATENT MEDICINES—Manufacture and sale of, Senate File No. 33..	128
Petitions relative to.....	127, 212, 254, 277,
288, 408, 439, 455, 512, 553, 592, 688, 725	725
PEARL BUTTONS—Manufacture in penitentiary, Senate File No.	
233	409
PEDDLERS—Term defined, Senate File No. 201.....	346
PEDIGREES—Registration of, Senate File No. 180.....	288
House File No. 324.....	533
PENITENTIARIES AND PARDONS—Committee on, appointed.....	65
(See Committees, Standing.)	
PENITENTIARIES—Number of guards in, Senate File No. 339.....	907
Manufacture of binding twine, Senate File No. 197.....	346
Manufacture of pearl buttons or butter tubs, Senate File No. 233..	409
Employment of convict labor, Senate File No. 328.....	823
Vacation for guards and officers, House File No. 352.....	674
PENITENTIARY—	
At Anamosa—Appropriation for, Senate File No. 135.....	201
Senate File No. 360.....	1099
Disposal of stone at, Senate File No. 258.....	513
Commitment of females to, Senate File No. 371.....	1381
Committee to visit, appointed.....	125
Report of.....	329
Report of Board of Control on unexpended balances in treasury	67
At Fort Madison—Appropriation for, Senate File No. 161.....	227
Senate File No. 360.....	1099
Committee to visit, appointed.....	125
Report of.....	327
Report of Board of Control on unexpended balances in treasury	69
PENNY, JOHN—Pardon denied.....	1226
PENSIONS—For members of Iowa Northern Border Brigade, Concur-	
rent Resolution.....	1371
PERMANENT OFFICERS—Of the Senate, elected and qualified... 4, 5,	6
PERMANENT SCHOOL FUND—Relative to handling of, Senate File	
No. 152.....	213
PERSONAL EARNINGS—Exemptions of, Senate File No. 86.....	165
Petitions	357, 358, 375,
388, 406, 407, 456, 553, 578, 593, 725, 883	883
PETERSON, CHARLES F.—Senator Thirty-seventh District.	
On standing committees: Rules, chairman; Judiciary; Railroads;	
Congressional and Judicial Districts; Corporations; Building	
and Loan; Penitentiaries and Pardons; Public Lands.	
Appointed on special committees.....	615,
1009, 1015, 1089, 1194, 1335, 1483	1483
Asks unanimous consent.....	230, 269, 995
Draws seat No. 10.....	4
Entitled to a seat.....	2
Introduces Senate Files Nos. 2, 37, 38, 69, 109, 134, 205, 206, 231,	
370.	
Leave of absence.....	345
Makes request.....	287, 473, 536, 745, 1321, 1457
Mileage due.....	48
Motions by.....	108, 155, 180, 181, 229, 230, 270,
463, 464, 521, 605, 643, 664, 719, 796,	
804, 806, 807, 808, 809, 810, 821, 874,	
875, 914, 926, 927, 928, 947, 948, 962,	
1015, 1087, 1099, 1109, 1149, 1253, 1266, 1340, 1392	
Offers amendment.....	796
Offers substitute.....	788
Offers resolution.....	155
Present at joint conventions.....	11, 43, 51, 132, 1385

PETERSON, CHARLES F.—Continued.

Page.

Presents petitions.....	357,	689
	387, 406, 473, 512, 522, 552, 618,	
Qualified	3,	4
Submits report of committee.....	108,	129

PETITIONS AND MEMORIALS—

Relative to—

Abolishment of offices of State Printer and State Binder....	512,	551
Additional levy for sewer fund.....		388
Agricultural high schools.....	357, 456, 473, 491, 512, 563, 618,	688
Anti-pass legislation	172,	277, 689
Appropriation for Benedict Home.....	102, 103, 118, 276, 388, 456,	689
Appropriation for swine pavilion.....		287,
	288, 299, 345, 357, 358, 374, 385, 389,	
	406, 407, 456, 491, 501, 552, 563, 578,	688
Appropriation for Soldiers' Home.....		128
Appropriation for State Board of Health Laboratory.....	212, 264,	
	276, 287, 299, 300, 358, 386, 387, 388, 439,	456
Assumption of risk bills.....		578
Bucket shopping		871
Bulk sales		440, 492
C. O. D. shipments of intoxicating liquors.....		276
Civil service for fire and police departments.....		799
Drawing of jurors.....		669
Election of directors of agricultural department.....	276,	668
Embalming		300
Fish and game.....		513, 590
Fraternal beneficiary societies.....		407
Fraternal insurance rates.....		277, 492
Free transportation for certain visitors to State institutions.....		1435
Freight rates.....		456, 1003
Government of large cities.....	374, 385, 439,	522
Harvey bill		541, 578
Hunters' license		541, 578, 590
House File No. 45.....	254, 439, 512, 541,	553
House File No. 52.....		522
House File No. 76.....		540
House File No. 82.....		540
House File No. 135.....		386
House File No. 160.....		388
House File No. 260.....		540
House File No. 461.....		1417
Insurance department	541, 552, 553, 579,	592
Intoxicating liquors.....	540, 552, 553, 562, 563, 618, 645, 689, 725,	882
Iowa State Poultry Association.....		277
Joint freight rates.....		277
Liability of railways.....		492, 668
McManus bill	522, 540, 553,	592
Memorial day sports.....	102, 128, 147, 263, 374, 375,	455
Normal institutes		541, 562, 578
Optometry		1179
Osteopathy		1104, 1417, 1435
Patent medicines and drugs.....	127, 183, 212, 254, 277, 288,	
	345, 408, 439, 455, 512, 553, 592, 688,	725
Pensions for disabled firemen.....		749, 882
Poisons		127
Primary elections		386
Pure food laws.....	455, 492, 501, 513, 563, 618,	824
Quarantine		689
Reciprocal demurrage	552, 854, 883,	913
Recodification of school laws.....	512, 540, 542, 551,	562
Registration of trained nurses.....		183

PETITIONS AND MEMORIALS—Continued.		Page.
Relative to—		
Road tax.....		491
Sabbath-school, compulsory attendance.....		1435
Senate File No. 17.....		300
31.....	288, 512,	541
33.....	439, 512,	541
52.....		749
92.....		551
93.....		277
96.....		388
98.....		689
109.....		592
188.....		749
189.....		749
196.....	440,	492
203.....		1032
207.....		540
236.....		749
Speed limit of stock trains.....	253, 540, 563, 590,	593
State marshals.....	212, 263, 288, 299, 300, 374, 375,	
387, 406, 407, 439, 456, 473, 491, 541,		
552, 562, 592, 645, 688, 725, 781, 798,		799
Stud service.....		102, 456, 883
Teachers' certificates.....		540, 542, 551
Terms of office of county officers.....		959,
1003, 1032, 1073, 1094, 1104, 1132, 1217,		1270
Titles to real estate.....		593
Two cent fares.....	103, 117, 147, 173, 263, 277, 287,	386
Tuberculosis sanatorium.....		593, 798, 1179
Wage exemptions.....	357, 358, 375,	
388, 406, 407, 456, 553, 578, 592, 725,		883
Woman's reformatory..	102, 385, 386, 387, 388, 407,	501, 646
Woman's suffrage.....	501, 562,	
645, 646, 668, 669, 689, 750, 854, 871,		882
PETITIONS—Of general consent, House File No. 269.....		555
PETROLEUM PRODUCTS—Inspection of, Senate File No. 307.....		667
PHARMACY—Committee on, appointed.....		64
(See Committees, Standing.)		
Examination of pharmacists, Senate File No. 327.....		803
Practice of, Senate File No. 157.....		214
PHEASANTS—Propagation of, House File No. 426.....		838
PHYSICIANS' CERTIFICATES—Revocation of, House File No. 266..		925
PICKETT, CHARLES E.—Regent State University.....	1385, 1386,	1387
PIONEER LAW-MAKERS' ASSOCIATION—Invited to visit Senate, resolution.....		684
Arrival of, announced.....		722
Address of welcome and response.....		722, 723
Other addresses.....		723
POCAHONTAS—To legalize acts of town council of, Senate File No. 259.....		513
POCKET GOPHERS—Bounties for destruction of, House File No. 41..		240
POINT OF ORDER—Raised.....	232, 865, 1161, 1162, 1407, 1493,	1505
POISONS—Petition relative to sale of.....		127
POLLING PLACES—Location, House File No. 433.....		1196
POLITICAL CONTRIBUTIONS—By corporations, Senate File No. 38.....		142
POLICE MATRONS—Appointment and compensation of, Senate File No. 58.....		149
PORTER, CLAUDE R.—Canvass of vote for, for Governor.....		44, 45
Nominated for U. S. Senator.....		124
Vote received by, for Senator in Congress.....		124, 133

	Page.
PORTER, U. P.—Authorized to place barber chair in cloak room.....	8
POSTMISTRESS—Temporary, chosen and qualified.....	1
Permanent, chosen and qualified.....	5, 6
PRAIRIESBURG—To legalize incorporation of, House File No. 470.....	1197
PRESIDENT OF THE SENATE—(See Garst, Warren.)	
PRESIDENT PRO TEMPORE—(See Smith, James A.)	
PRESS GALLERY—Secretary to assign seats in.....	37
PRIMARY ELECTIONS—Governor recommends law to establish....	28
Secretary of State authorized to publish 5,000 copies of law relating to, Concurrent Resolution.....	1372
To provide for, Senate File No. 2.....	103
Senate File No. 3.....	103
Senate File No. 230.....	564
Petition.....	386
PRINTING—Committee on, appointed.....	65
(See Committees, Standing.)	
PRINTING AND BINDING—Of road and drainage laws, resolution...	383
Of highway commission reports, resolution.....	546
Of primary election law, resolution.....	1372
Of rules of Thirty-second General Assembly, resolution.....	195
Of State reports, Senate File No. 275.....	553
Secretary of State requested to furnish samples, resolution.....	187
To abolish offices of State Printer and Binder, Senate File No. 96..	174
Petition.....	512
PRIVATE BANKS—Protection of depositing creditors, Senate File No. 39.....	143
PROCEDURE—In courts of record, Senate File No. 353.....	1033
PROPER, REV. D. D.—Officiates as Chaplain.....	253
PROPERTY—Rights of, Senate File No. 272.....	542
PUBLIC ARCHIVES—Preservation of, Senate File No. 26.....	121
PUBLIC BUILDINGS—Committee on, appointed.....	66
(See Committees, Standing.)	
PUBLIC HEALTH—Committee on, appointed.....	63
(See Committees, Standing.)	
PUBLIC LANDS—Committee on, appointed.....	66
(See Committees, Standing.)	
PUBLIC LIBRARIES—Committee on, appointed.....	63
(See Committees, Standing.)	
Preservation of historical articles, etc., Senate File No. 228.....	408
Township Trustees to contract for use of, Senate File No. 164....	264
PUBLICATION—Of false statements of values of stock, etc., Senate File No. 171.....	255
Of reports of banks, Senate File No. 184.....	289
Of certain notices, House File No. 204.....	352
Of acts of Legislature, Senate File No. 208.....	363
Of reports of township officers, House File No. 323.....	793
PURE FOOD—Governor's message.....	22
Appropriations to enforce, Senate File No. 317.....	726
House File No. 351.....	1020
Adulterated foods, Senate File No. 318.....	731
Drugs and medicines, Senate File No. 31.....	128
Paints and oils, Senate File No. 19.....	119
Sale of articles in unsanitary packages, Senate File No. 335.....	898
Sale of canned goods, Senate File No. 136.....	201
Stock foods, Senate File No. 18.....	119
QUAILS—Trapping, shooting and killing of, Senate File No. 170....	255
QUALIFICATIONS—For admission to the bar, House File No. 408....	859
QUALIFYING FOR OFFICE—Time of, House File No. 178.....	240
QUARANTINE—Petition relative to.....	689
QUINN, REV. R. A.—Officiates as Chaplain.....	224

	Page.
RAILROAD COMMISSIONERS—Appropriation for maps, Senate File No. 32.....	128
Duties as to control of telegraph companies, House File No. 493.....	1436
Investigation of freight rates, Senate File No. 224.....	390
Powers and duties of, Senate File No. 11.....	114
House File No. 403.....	833
To establish certain freight rates under certain conditions, Senate File No. 229.....	408
To direct weighing of grain at terminals, Senate File No. 284.....	564
RAILROADS—Committee on, appointed.....	62
(See Committees, Standing.)	
Actions against joint carriers, Senate File No. 241.....	440
Anti-pass bill, House File No. 379.....	666
Senate File No. 93.....	167
Petitions.....	172, 277, 689
Automobile railroads, rights and powers, House File No. 435.....	1196
Senate File No. 354.....	1056
Capital stock, how increased, Senate File No. 101.....	183
Cattle guards at private crossings, Senate File No. 293.....	593
House File No. 385.....	840
Duties of, as to furnishing transportation, Senate File No. 344.....	952
House File No. 490.....	1394
Fences along right of way, House File No. 63.....	738
Investigation of accidents, House File No. 318.....	675
Investigation of freight rates, Senate File No. 224.....	390
Joint freight rates, Senate File No. 202.....	358
House File No. 282.....	837
Liability of, petition.....	492, 668
Liability for baggage, House File No. 18.....	838
Liability of employes, House File No. 61.....	1197
Limiting hours of labor, House File No. 65.....	392
Passenger rates, Senate File No. 4.....	104
Senate File No. 91.....	167
House File No. 220.....	271
Petitions.....	103, 117, 147, 173, 263, 277, 287, 386
Powers of stockholders and directors, Senate File No. 214.....	363
Rates for sleeping car berths, Senate File No. 294.....	593
House File No. 375.....	827
Reciprocal demurrage, House File No. 180.....	674
Petitions.....	552, 854, 883, 913
Reconsignment without charge, Senate File No. 234.....	409
Relative to, Senate File No. 305.....	650
Resolution requesting Iowa members of Congress to support limited hour service act.....	239
Speed limit for live stock trains, House File No. 52.....	302
Senate File No. 373*.....	1437
Petitions.....	253, 540, 563, 590, 593
Taxes in aid of, House File No. 486.....	1436
To stop passenger trains on signal, Senate File No. 125.....	193
To regulate stringing wires over tracks of, Senate File No. 235.....	409
Terminals for interurbans, Senate File No. 287.....	579
To destroy weeds on right of way, House File No. 290.....	838
Weighing of grain at terminals, Senate File No. 284.....	564
Weighing of commodities in carload lots, Senate File No. 237.....	409
(See Street Railways.)	
(See Interurban Railways.)	
RAINSBARGER, FRANK—Pardon denied.....	1225
NATHAN—Pardon denied.....	1225
RAT LAKE—To confirm title to a portion of, Senate File No. 9.....	113

*Erroneously printed Senate File No. 376.

	Page.
REAL ESTATE—Taxation of mortgages and mortgaged, Senate File No. 83.....	164
Recording deeds affecting, Senate File No. 174.....	264
Petition relative to titles to.....	593
RECIPROCAL DEMURRAGE—Governor's message.....	35
To provide for, House File No. 180.....	674
Petitions	552, 854, 883, 913
RECONSIDERATION—Moved.....	531, 715, 720, 958, 994, 1057, 1072, 1124, 1159, 1161, 1162, 1178, 1186, 1204, 1215, 1236, 1237, 1239, 1289, 1301, 1311, 1381, 1494
RECORDING ACTIONS—Against unknown defendants, Senate File No. 285.....	579
RECORDING DEEDS—Relative to, Senate File No. 174.....	264
REDMAN, ELSIE—Committee Clerk.....	100
RED OAK JUNCTION—To legalize ordinances of council of, Senate File No. 283.....	564
REFORMATORY, WOMEN'S—Establishment of, petitions.....	102, 385, 386, 387, 388, 407, 501, 646
To establish, House File No. 124.....	1351
REFORMATORY SYSTEM—To provide for, Senate File No. 30.....	122
REGISTRATION—Of nurses, Senate File No. 78.....	159
Petition	183
Of births and deaths, House File No. 29.....	231
Of pedigrees, Senate File No. 180.....	288
House File No. 324.....	533
Of notarial commissions, Senate File No. 255.....	502
Of pharmacists, Senate File No. 327.....	803
REID, MARY A.—Committee Clerk.....	127
RELEASE—Of mortgages, fee for indexing, Senate File No. 40.....	143
REMOVAL—Of goods covered by insurance, Senate File No. 128.....	200
REPORT—Of secretary of Agricultural College.....	73
Of secretary of State University.....	77
Of secretary of State Normal School.....	93
REQUA, REV. EUGENE W. F.—Officiates as Chaplain.....	127
REPORTERS, NEWSPAPER—Secretary to assign seats for.....	37
RESOLUTIONS—(See House Concurrent Resolutions, page 1586.) (See Senate Concurrent Resolutions, page 1564.) (See House Joint Resolutions, page 1586.) (See Senate Joint Resolutions, page 1563.)	
By Jamison of Clarke—Holdover and re-elected Senators to retain old seats. Adopted.....	4
By Maytag—Temporary adoption of rules of Thirty-first General Assembly. Adopted.....	6
By Ericson—Appointment of committee on mileage. Adopted....	6
By Stookey—Appointment of additional messengers. Offered.....	7
By Turner—Badges for certain employes. Adopted.....	7
By Ericson—Appointment of committee to notify Governor that Senate is organized. Adopted.....	7
By Dowell—Authorizing U. B. Porter to place barber chair in cloak room. Adopted.....	8
By Gale—Authorizing exchange of seats. Adopted.....	10
By Gale—Authorizing each Senator without a chairmanship to select a Committee Clerk. Offered.....	10
Adopted	41
By Dowell—Instructing Custodian to place chair at President's desk. Adopted.....	37
By Jones—Temporary adjournment. Offered.....	49
By Newberry—Appointment of committee on Chaplains. Adopted.	99

RESOLUTIONS—Continued.	Page.
By Mattes—Appointment of committee on mileage and expenses of visiting committees. Adopted.....	150
By Peterson—Printing extra copies of certain Senate files. Adopted	155
By Maytag—Directing Custodian to procure desk for President. Adopted	168
By Lambert—Requesting Secretary of State to furnish Printing Committee with samples of printing and binding. Adopted.....	187
By Dunham—Instructing Secretary to prepare Calendar of bills. Adopted	236
By Smith of Mitchell—Temporary adjournment. Offered.....	364
By Dowell—Instructing Custodian to secure suitable desk for Sergeant-at-Arms. Adopted.....	364
By McKlveen—Appointment of committee to invite Pioneer Law-Makers to visit Senate. Adopted.....	683, 684
By Lambert—Inviting Za-go-zig Temple of Shriners to take possession of Senate. Offered.....	709
Adopted	710
By Smith of Mitchell—Hours of meeting. Adopted.....	799
By Smith of Mitchell—Appointment of Sifting Committee. Offered	871
Amended and adopted.....	1193
By Jamison of Clarke—Temporary adjournment. Lost.....	898
By Jamison of Clarke—Extending thanks of Senate to the President of Senate, President pro tempore, Secretary, and other employes and officers of Senate. Adopted.....	1485
RESOLUTIONS—In joint convention—	
Relative to election of State Printer and Binder	135
Relative to election of Code Supplement Editor and Regent of State University to fill vacancy.....	137
Relative to election of Regent of State University to fill vacancy..	139
Relative to election of Trustees and Regents of State educational institutions	1385, 1386
Memorial	1311, 1315, 1480
REVOCATION—Of physicians' certificates, House File No. 266.....	925
RICHMAN, C. J.—Committee Clerk.....	150
RIDDLE, BELLE I.—Committee Clerk.....	100
RIFLE RANGE—Communication relative to.....	997*
RIGGLE, D. W.—Assistant doorkeeper, elected and qualified.....	1, 5, 6
RIGGS, JOHN F.—To reimburse, Senate File No. 132.....	201
House File No. 201.....	362
ROAD LAWS—Publication of, Concurrent Resolution.....	383
Relative to, petition.....	491
ROADS AND HIGHWAYS—Committee on, appointed.....	64
(See Committees, Standing.)	
County road fund, Senate File No. 166.....	254
House File No. 404.....	992
Duties of Township Trustees, etc., Senate File No. 88.....	167
House File No. 12.....	350
Improvement of main, Senate File No. 311.....	683
Laying of pipes and water mains on, Senate File No. 308.....	669
Relative to, House File No. 342.....	828
House File No. 376.....	859
Road tax, relative to, Senate File No. 34.....	129
Senate File No. 88.....	167
House File No. 16.....	611
Senate File No. 100.....	175
House File No. 12.....	350
Petition	491
Repair of, along Missouri State line, Senate File No. 361.....	1104
Stone from Anamosa penitentiary for, Senate File No. 258.....	513
Street railways over, House File No. 421.....	1082
Superintendents of, House File No. 12.....	350
Use of wagons with wide tires, Senate File No. 199.....	346

	Page.
ROBBARD, HUGH—Pardon denied.....	1228
ROLLINS, MAMIE—Committee Clerk	100
ROSTER—Of Iowa soldiers, sailors and marines—	
Governor's message.....	20
Senate File No. 43.....	143
House File No. 79.....	1010
RULES—Those of Thirty-first General Assembly adopted temporarily	6
Committee on, appointed.....	65
Report of.....	129
Publication of, Concurrent Resolution.....	195
RUNLETT, DELLA—Clerk for Senator Frudden.....	110
RUNYAN, HESTER—Postmistress, elected and qualified.....	1, 5, 6
SAMPLES, DRUG—Throwing of, in public or private places, House	
File No. 424.....	837
SANDERS, MARY A. T.—Conveyance to, House File No. 462.....	1139
SANITARY CONVENTIONS—To provide for district, Senate File	
No. 41.....	143
SATISFACTION OF MORTGAGES—Fee for indexing, Senate File	
No. 40.....	143
SAUNDERS, CHARLES G.—Senator Nineteenth District.	
On standing committees: Telegraphs and Telephones, chairman;	
Judiciary; Appropriations; Railroads; Cities and Towns; Con-	
gressional and Judicial Districts; Constitutional Amendments	
and Suffrage; Public Health.	
Appointed on special committees.....	125,
139, 460, 1009, 1089, 1335, 1342, 1454, 1479	
Asks unanimous consent.....	308, 533, 823, 907
Calls up motion to reconsider.....	1416
Entitled to a seat.....	3
Explains vote.....	1494
Files motion to reconsider.....	1204, 1381
Introduces Senate Files Nos. 30, 118, 139, 162, 171, 198, 199, 277, 284,	
292, 304, 332, 339, 340 371.	
Leave of absence.....	142, 192, 437, 539, 604
Makes request.....	280, 357, 455
Mileage due.....	48
Motions by.....	131, 135,
139, 182, 237, 249, 273, 275, 308, 401,	
420, 433, 434, 481, 488, 498, 518, 519,	
520, 532, 533, 574, 622, 623, 639, 640,	
653, 671, 672, 736, 751, 788, 806, 809,	
833, 834, 836, 856, 868, 869, 873, 877,	
878, 879, 894, 905, 985, 1027, 1028, 1041,	
1085, 1089, 1152, 1170, 1210, 1237, 1238, 1239,	
1273, 1277, 1308, 1328, 1334, 1339, 1341, 1357,	
1375, 1395, 1416, 1438, 1439, 1449, 1454, 1464,	
1475	
Offers amendment.....	269, 518, 519, 520, 532, 533
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 132
Presents petitions.....	254, 386, 388, 512, 563, 590, 799
Presides	351
Qualified	3, 4
Moves reconsideration.....	623, 1237
Submits report of committee.....	830, 1129, 1462, 1474, 1480
SAVINGS BANKS—(See Banks and Banking.)	
SCHOOL BOARDS—Vacancies on, House File No. 358.....	857
SCHOOL CORPORATIONS—Consolidation in certain cities, Senate	
File No. 82.....	164
Distribution of books, House File No. 222.....	424
Funding of bonds, Senate File No. 265.....	523
Senate File No. 271.....	542
SCHOOL ELECTION—Women to vote at, House File No. 439.....	1343

	Page.
SCHOOL FOR THE DEAF—Appropriation for, Senate File No. 139.....	202
Senate File No. 360.....	1099
Admission to, House File No. 94.....	361
Committee to visit, appointed.....	125
Report of.....	311
Department of domestic science, Senate File No. 247.....	474
Support of, House File No. 95.....	231
SCHOOL FUND, PERMANENT—Relative to, Senate File No. 152....	213
SCHOOL LAWS—Commission to recodify, Senate File No. 242.....	441
Petition.....	512, 540, 542, 551, 562
SCHOOL OFFICERS—Compensation, Senate File No. 218.....	389
SCHOOL SITES—Acquisition of, House File No. 252.....	555
SCHOOL TEACHERS—Retirement fund, Senate File No. 213.....	363
SCHOOL TREASURER—To abolish office of, Senate File No. 263....	514
SCHOOLS—Committee on, appointed.....	62
(See Committees, Standing.)	
Compulsory attendance, Senate File No. 302.....	622
Kindergarten teachers, requirements, House File No. 427.....	857
Teachers' certificates, petitions.....	540, 542, 551
To prohibit service of male animals for breeding purposes near, House File No. 398.....	857
Transportation of pupils, House File No. 263.....	533
SCHWIMLEY, REV. W. A.—Officiates as Chaplain.....	47
SCOTT, EWING H.—Messenger.....	1
*SEATS—Drawing of.....	4
Resolution authorizing holdover and re-elected Senators to retain old seats.....	4
SECRET SOCIETIES—Use of badges and insignia by those not mem- bers of, Senate File No. 56.....	149
SECRETARY OF EXECUTIVE COUNCIL—Authorized to appoint clerk for supply department.....	114
Election and duties of, Senate File No. 248.....	474
House File No. 333.....	1071
SECRETARY OF SENATE—Temporary, chosen and qualified.....	1
Permanent, elected and qualified.....	5, 6
Authorized to procure badges for certain employes.....	7
Authorized to assign seats in press gallery.....	37
Authorized to appoint committee clerks.....	210
Directed to prepare pay roll of extra employes, Joint Resolution No. 1.....	114
Instructed to provide a calendar of bills.....	236
Required to remain after adjournment, resolution.....	1418
Signs certificates of election.....	134, 136, 137, 138, 139, 140
Thanks of Senate extended to, resolution.....	1485
FIRST ASSISTANT—Elected and qualified.....	1, 5, 6
SECOND ASSISTANT—Elected and qualified.....	1, 5, 6
SECRETARY OF STATE—Authorized to appoint two document clerks, Senate Joint Resolution No. 1.....	114
Compensation of Deputy, Senate File No. 122.....	192
House File No. 168.....	601
Concurrent Resolution requesting to furnish members with Code, Code Supplement and Session Laws.....	8
Corporations to pay annual license fee to, Senate File No. 203....	358
Directed to publish drainage and road laws, Concurrent Resolu- tion.....	383
Directed to furnish Code, Code Supplement and laws to certain officers of House and Senate, Concurrent resolution.....	376
Resolution requesting, to furnish samples of printing and binding, etc.....	187
Recording abstracts of election returns, Senate File No. 200.....	346
House File No. 279.....	507
To have charge of public accounting, Senate File No. 256.....	502

	Page.
SEELEY, W. B.—Senator Tenth District.	
On standing committees: Enrolled Bills, chairman; Appropriations; Agriculture; Banks; Schools; Building and Loan; Compensation of Public Officers; Claims.	
Addresses Senate.....	786
Appointed on special committees.....	99, 125, 150, 1523
Asks unanimous consent.....	685
Draws seat No. 2.....	4
Entitled to a seat.....	2
Files resolution to reconsider.....	1266
Introduces Senate Files Nos. 24, 95, 153, 177, 183, 190, 355, 363.	
Leave of absence.....	106, 468
Makes request.....	237
Mileage due.....	48
Motions by.....	248, 1008, 1065, 1241, 1242, 1291, 1292, 1358
Present at joint conventions.....	11, 43, 51, 132
Presents petitions.....	263, 592, 781, 1032
Qualified.....	3, 4
Submits report of committee.....	145, 146, 226, 238,
258, 259, 349, 377, 378, 416, 417, 418,	
419, 444, 462, 463, 495, 496, 530, 555,	
556, 557, 616, 631, 632, 633, 671, 678,	
679, 712, 718, 766, 767, 768, 779, 780,	
815, 840, 841, 842, 870, 939, 940, 941,	
942, 943, 944, 1006, 1007, 1040, 1061, 1062,	
1063, 1064, 1091, 1092, 1093, 1103, 1115, 1116,	
1155, 1156, 1157, 1164, 1206, 1207, 1208, 1268,	
1279, 1281, 1283, 1285, 1301, 1302, 1303, 1304,	
1364, 1376, 1398, 1399, 1400, 1415, 1434, 1441,	
1442, 1443, 1444, 1445, 1446, 1449, 1468, 1469,	
1471, 1472, 1473, 1505, 1506, 1507, 1510, 1511,	
1512, 1513, 1514, 1515, 1518, 1519, 1520, 1521, 1522	
SEERLEY, JOHN J.—Elected Regent State University to fill vacancy.....	137, 138
SENATE BILLS—(See pages 1525 to 1563.)	
SENATE CHAMBER—Redecoration of, Senate File No. 366.....	1247
SENATE CONCURRENT RESOLUTIONS—(See page 1564.)	
SENATE JOINT RESOLUTIONS—(See page 1563.)	
SENATORIAL AND REPRESENTATIVE DISTRICTS—Committee on, appointed.....	63
(See Committees, Standing.)	
SENATORS—(See United States Senators.)	
SERGEANT-AT-ARMS—Elected and qualified.....	1, 5, 6
Badge for.....	7
Desk for.....	364
Permitted to retain badge.....	1485
Senate proceeds to House under direction of.....	11,
42, 131, 274, 454, 1384	
SEWERS—Taxes for sewer fund, Senate File No. 116.....	186
Outlets and purifying plants, Senate File No. 262.....	514
SHRINERS—Za-ga-zig Temple of, invited to visit Senate.....	709
Take possession of Senate Chamber.....	723
SIFTING BILLS—Resolutions to appoint committee on.....	871, 1193
Committee on, appointed.....	1194
Bills referred to.....	1212, 1219, 1221,
1222, 1224, 1231, 1253, 1254, 1258, 1265, 1290,	
1293, 1300, 1306, 1329, 1337, 1338, 1348, 1362,	
1374, 1375, 1378, 1381, 1384, 1413, 1434, 1437, 1438	
Petitions referred to.....	1217, 1270, 1417, 1435
Returns bill to Senate.....	1419
SILVER LAKE—Dam and fishing at outlet of, Senate File No. 264..	523
Petition.....	593

	Page.
SLEEPING CAR RATES—Relative to, House File No. 375.....	827
Senate File No. 294.....	593
SMITH, BETSEY—Committee on Pardons recommend parole for....	1230
Concurrent Resolution relative to parole for.....	1230, 1299
SMITH, FLOYD O.—Committee Clerk.....	112
SMITH, FRED N.—Senator Ninth District.	
On standing committees: Agriculture; Cities and Towns; Banks; Public Libraries; Telegraphs and Telephones; Building and Loan; Compensation of Public Officers; Horticulture and For- estry.	
Appointed on special committees.....	2, 125
Appointed teller.....	43
Entitled to a seat.....	2
Explains vote.....	822
Introduces Senate Files Nos. 8, 104, 238.	
Leave of absence.....	237
Makes request.....	183, 253, 263, 473, 539, 913
Mileage due.....	48
Motions by.....	464, 465, 487, 604, 663, 1375
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 51, 132
Presents petitions.....	172, 552, 668, 824, 882, 1003, 1032
Qualified.....	3, 4
Signs certificates of election as teller.....	45, 46
SMITH, JAMES A.—Senator Forty-first District.	
On standing committees: Ways and Means, chairman; Railroads; Insurance; Elections; Senatorial and Representative Districts; Printing; Labor.	
Addresses Senate, lauding the aims and purposes of members of the seven General Assemblies of which he had been a mem- ber.....	1484
Appointed on special committees.....	8, 60, 710, 1194
Appoints committee while presiding.....	1483
Calls up motion to reconsider.....	1501
Elected Speaker pro tempore.....	4, 5
Entitled to a seat.....	3
Files motion to reconsider.....	1494
Introduces Senate Files Nos. 5, 43, 101, 102, 241, 248, 287, 303, 322, 349, 362, 373, 376.	
Introduces Senate Joint Resolutions Nos. 1, 2, 6.	
Leave of absence.....	42, 131, 237, 345
Makes request.....	47, 151, 539, 551, 1297
Mileage due.....	48
Motions by.....	9, 38, 60, 99, 115, 182, 223, 272, 273, 281, 301, 375, 445, 454, 470, 633, 687, 766, 772, 790, 799, 914, 945, 967, 979, 996, 997, 1042, 1086, 1087, 1126, 1147, 1148, 1159, 1181, 1183, 1193, 1194, 1209, 1210, 1244, 1254, 1263, 1264, 1265, 1295, 1296, 1335, 1339, 1367, 1395, 1401, 1431, 1453, 1455, 1456, 1489, 1501
Offers resolutions.....	38, 269, 364, 799, 871
Offers substitute.....	1193
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 51, 1385
Presents petitions.....	385, 473, 512, 540, 551
Presides.....	10, 291, 578, 586, 592, 603, 836, 868, 875, 877, 982, 1109, 1482, 1517
Qualified.....	3, 4
Qualified as President pro tempore.....	6
Submits report of committee.....	114, 218, 225, 291, 423, 460, 461, 543, 602, 691, 692, 727, 728, 905, 906, 971, 1005, 1171

	Page.
SMITH, P. A.—Member of Board of Parole.....	1334
SMITH, REV. O. O.—Officiates as Chaplain.....	385
SMOKE NUISANCE—To regulate, Senate File No. 227.....	408
SNOWBERGER, REV. A. C.—Officiates as Chaplain.....	276
SOLDIERS AND SAILORS—Roster of Iowa, Governor's message....	20
Senate File No. 43.....	143
House File No. 79.....	1010
Exemptions from taxation, Senate File No. 85.....	165
Burial allowance for deceased, Senate File No. 222.....	389
SOLDIERS' HOME—Appropriation for, Senate File No. 173.....	264
Senate File No. 360.....	1099
Petition	128
Admissions to, House File No. 118.....	301
Senate File No. 279.....	563
Committee to visit, appointed.....	125
Report of.....	309
Relative to, Senate File No. 154.....	213
Report of Board of Control on unexpended balances in treasury...	71
Support of, Senate File No. 279.....	563
House File No. 348.....	666
SOLDIERS' ORPHANS' HOME—Appropriation, Senate File No. 138.	201
Senate File No. 360.....	1099
Committee to visit, appointed.....	125
Report of.....	341
Report of Board of Control on unexpended balances in treasury...	69
SOLDIERS' RELIEF COMMISSION—Meetings of, House File No.	
150	457
SPECIAL CHARTER CITIES—(See Cities, Special Charter.)	
SPEAKER OF THE HOUSE—Chair and gavel for, Senate Joint Res-	
olution No. 5.....	939
SPIRIT LAKE—Lock canal between Okoboji and, Senate File No.	
278	563
STACY, F. M.—Bill Clerk, elected and qualified.....	1, 5, 6
STALLIONS—Liens for service of, Senate File No. 310.....	669
House File No. 306.....	828
Petitions	102, 456, 833
Service near schools prohibited, House File No. 398.....	857
STATE AGENTS—Salaries and expenses, Senate File No.129.....	200
House File No. 192....	457
STATE BANKS—(See Banks.)	
STATE BINDER—Elected.....	135, 136
To abolish office of, Senate File No. 96.....	174
STATE BOARD OF CONTROL—(See Board of Control.)	
STATE BOARD OF EDUCATIONAL EXAMINERS—To issue State	
diplomas to certain graduates, Senate File No. 207.....	359
Supplies and printing for, Senate File No. 160.....	214
House File No. 217.....	520
Validation of certain certificates, Senate File No. 98.....	174
STATE BOARD OF HEALTH—Appropriation for, petitions 212, 264,	
276, 287, 299, 300, 358, 386, 387, 439, 456	
Appropriation for deficit in laboratory funds, House File No. 489..	1372
Comments on, in Governor's message.....	17
Compensation of secretary, Senate File No. 346.....	936
Laboratory, relative to, Senate File No. 25.....	121
STATE BOILER INSPECTOR—To create, duties, Senate File No.	
193	301
STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS—	
(See Agricultural College.)	
STATE DOCUMENTS—Relative to, Senate File No. 169.....	255
Senate File No. 275.....	553

	Page.
STATE EDUCATIONAL INSTITUTIONS—Appropriations for, Senate File No. 77	159
Board of Regents for, Senate File No. 84.....	164
STATE EMPLOYEES—Number and compensation, Senate Joint Resolution No. 6.....	1421
Appropriation to pay, Senate File No. 375.....	1494
STATE FOOD AND DAIRY COMMISSIONER—(See Food and Dairy Commissioner.)	
STATE HISTORICAL SOCIETY—Appropriation—	
Senate File No. 217.....	375
House File No. 238.....	693
STATE HOSPITAL FOR INEBRIATES—(See Hospital for Inebriates.)	
STATE HOSPITALS FOR INSANE—(See Hospitals for Insane.)	
STATE INSTITUTIONS—Under Board of Control, appropriation, Senate File No. 360.....	1099
STATE LEVY—For 1907 and 1908, Senate File No. 376.....	1503
STATE LIBRARY—Compensation of employes—	
Senate File No. 225.....	390
House File No. 407.....	1258
Legislative reference department, House File No. 264.....	693
STATE MARSHALS—Petition for bill to provide for....	212, 263, 288, 299, 300, 374, 375, 387, 406, 407, 439, 456, 473, 491, 541, 552, 562, 592, 645, 688, 725, 781, 798, 799
To create office of, etc., Senate File No. 223.....	389
STATE NORMAL SCHOOL—Appropriations for—	
Senate File No. 7.....	113
Senate File No. 77.....	159
Senate File No. 359.....	1099
House File No. 100.....	1197
Approval of plans for library building, House Joint Resolution No. 4	612
Board of Regents for, Senate File No. 84.....	164
Committee to visit, appointed.....	125
Report of.....	331
Special report of secretary, on expenditures and disbursements..	93
Trustees elected.....	1385, 1386
STATE OFFICERS—Appropriation for, Senate File No. 375.....	1494
Compensation of deputies, Senate File No. 122.....	192
House File No. 168.....	601
STATE PENITENTIARY—(See Penitentiary.)	
STATE POULTRY ASSOCIATION—To provide for, Senate File No. 260	514
STATE PRINTER—Elected.....	135, 136
To abolish office of, Senate File No. 96.....	174
Petitions relative to	512, 551
STATE SEALER—Relative to, Senate File No. 319.....	747
STATE UNIVERSITY—Appropriations for, Senate File No. 77.....	159
Senate File No. 84.....	164
Senate File No. 209.....	363
Senate File No. 358.....	1098
Approval of plans and estimates for new buildings, Senate Joint Resolution No. 8.....	1477
Board of Regents for, Senate File No. 84.....	164
Committee to visit, appointed.....	125
Report of.....	332
Regents, elected.....	1385, 1386
Special report of secretary of, on expenditures and disbursements..	77

	Page.
STATE VETERINARY SURGEON—Relative to duties, compensation, etc., House File No. 128.....	654
Relative to deputies of, Senate File No. 345.....	952
House File No. 456.....	1373
STEEL, JOHN G.—Pardon denied.....	1224
STEGAL, CHARLES—Pardon denied.....	1227
STEWART, J. H.—Doorkeeper, elected and qualified.....	1, 5, 6
STIRTON, ROBERT C.—Senator Twenty-fourth District.	
On standing committees: Commerce, chairman; Ways and Means; Railroads; Banks; Elections; Corporations; Highways; Federal Relations.	
Appointed on special committees.....	60, 125, 1089, 1194, 1335, 1348
Entitled to a seat.....	3
Introduces Senate Files Nos. 35, 46, 135, 233, 281.	
Leave of absence.....	473, 539
Makes request.....	106, 172, 208, 237, 238, 772
Mileage due.....	48
Motions by.....	168, 171, 640, 1065, 1166, 1256, 1452
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 51, 132
Presents petitions.....	300, 358
Qualified.....	3, 4
Remarks on President Garst and character of work done by General Assembly.....	1484
Seconds nomination of Claude R. Porter for Senator in Congress..	124
STOCK FOODS—Sale regulated, Senate File No. 18.....	119
STOCKPORT—To legalize act of council of, House File No. 401.....	788
STOCKS OF GOODS—Bulk sales of, Senate File No. 196.....	301
STONE, EX-GOVERNOR W. M.—Monument for grave of, House File No. 11.....	221
STOOKEY, MARION F.—Senator Fifth District.	
On standing committees: Charitable Institutions, chairman; Judiciary; Appropriations; Suppression of Intemperance; Congressional and Judicial Districts; Military; Educational Institutions; Manufactures.	
Appointed on special committee.....	125
Asks unanimous consent.....	835
Calls up resolution.....	1173, 1346
Entitled to a seat.....	3
Files motion to reconsider.....	1186, 1346
Introduces Senate Files Nos. 29, 65, 166, 179, 207, 244, 289, 290, 315.	
Leave of absence.....	50, 112, 164, 513
Makes request.....	131, 183, 237, 253, 263, 357, 473, 749, 945
Mileage due.....	48
Motions by.....	189, 190, 301, 550, 577, 628, 629, 707, 709, 712, 722, 733, 743, 744, 772, 777, 787, 816, 876, 899, 900, 901, 902, 903, 974, 978, 1068, 1093, 1122, 1173, 1180, 1292, 1346, 1379, 1430
Offers substitute.....	974
Offers resolution.....	7, 542
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 132
Presents petitions.....	299, 385
Qualified.....	3, 4
Submits report of committee.....	922, 1024, 1128, 1253
STOOKEY, MARION—Committee clerk.....	100
STOOKEY, OWEN—Committee clerk.....	100
Resigned as committee clerk.....	117
STOY, H. W.—Committee clerk.....	100
STOCKHOLDERS, MINORITY—In insurance companies, Senate File No. 50.....	148

	Page.
STORAGE BUILDING—Appropriation for, Senate File No. 367.....	1247
STORMS, ALEXANDER D.—Pardon denied.....	1228
STREET RAILWAYS—Over highways, House File No. 421.....	1082
Terminals for interurbans, House File No. 479.....	1160
To prohibit granting of passes by, Senate File No. 93.....	167
House File No. 379.....	666
To promote safety and health of employes and passengers, Senate File No. 92.....	167
Vestibules on cars, Senate File No. 192.....	300
STUCKSLAGER, W. C.—Senator Twenty-sixth District.	
On standing committees: Banks, chairman; Appropriations; Cities and Towns; Insurance; Constitutional Amendments and Suffrage; Corporations; Commerce.	
Appointed on special committees.....	8, 49, 125
Entitled to a seat.....	3
Introduces Senate Files Nos. 99, 217, 240.	
Leave of absence.....	106, 112, 237, 473, 501, 772
Makes request.....	1032
Mileage due.....	48
Motions by.....	649, 743, 948, 1184, 1259
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 51, 132
Presents petitions.....	147, 173, 374, 385, 407, 492, 552
Qualified.....	3, 4
Submits report of committee... 223, 390, 565, 566, 631, 844, 1180	
SUCKOM, REV. W. T.—Officiates as Chaplain.....	551
SUFFRAGE—Constitutional amendments proposed, Senate Joint Resolution No. 3.....	441
SULLIVAN, D. S.—Assistant doorkeeper.....	1, 5, 6
SUPERINTENDENT OF PUBLIC INSTRUCTION—To reimburse John F. Riggs, Senate File No. 132.....	201
SUPERIOR COURTS—To extend jurisdiction of, Senate File No. 99.....	174
Relative to, Senate File No. 175.....	264
SUPERVISOR DISTRICTS—Division of county into, House File No. 437.....	1139
SUPPRESSION OF INTEMPERANCE—Committee on, appointed....	62
(See Committees, Standing.)	
SUPREME COURT—Appeals in criminal cases, Senate File No. 141..	202
Appeals in civil cases, Senate File No. 144.....	202
Time for filing abstract in, House File No. 88.....	859
SURETY COMPANIES—Relative to, Senate File No. 142.....	202
House File No. 38.....	196
SWAN, REV. G. W.—Officiates as Chaplain.....	164, 562
SWINE PAVILION—On state fair ground, Senate File No. 94.....	173
House File No. 75.....	857
Petitions, relative to.....	287,
288, 299, 345, 357, 358, 374, 385, 389,	
406, 407, 456, 491, 501, 552, 563, 578, 688	
TAX, INHERITANCE—Collection of, Senate File No. 362.....	1125
TAX SALE CERTIFICATES—Duplicates when lost, House File No. 70.....	221
TAXATION—Commission to investigate subject of, House File No. 457.....	1011
Correction of erroneous assessments, House File No. 171.....	507
Exemptions, House File No. 73.....	611
Senate File No. 85.....	165
Senate File No. 306.....	662
House File No. 202.....	694
House File No. 441.....	1091
Senate File No. 187.....	289

TAXATION—Continued.	Page.
Of dogs, House File No. 207.....	751
Of farm telephone lines, House File No. 209.....	362
Of insurance companies, Senate File No. 10.....	113
Of mortgages and mortgaged property, Senate File No. 83.....	164
Senate File No. 191.....	300
Of persons taking orders for liquors for delivery, Senate File No. 189.....	289
Of persons holding liquors in storage, Senate File No. 188.....	289
TAXES—Assessment of, Senate File No. 67.....	157
House File No. 367.....	1436
For sewer funds, Senate File No. 116.....	186
For bridges in certain cities, Senate File No. 194.....	300
In aid of railroads, House File No. 486.....	1436
Paid by insurance companies, Senate File No. 239.....	440
Percentage allowed collectors, Senate File No. 368.....	1254
TAXES, DELINQUENT—Record of, in special charter cities, Senate File No. 167.....	254
Suits to collect, Senate File No. 61.....	152
TAXES, ROAD—Relative to, Senate File No. 34.....	129
Senate File No. 88.....	167
Senate File No. 100.....	175
TAYLOR, CYNTHIA—Committee clerk.....	100
TAYLOR, J. B.—Pardon denied.....	1228
TAYLOR, LEWIS L.—Senator Third District.	
On standing committees: Horticulture and Forestry, chairman; Appropriations; Banks; Schools; Elections; Constitutional Amendments and Suffrage; Educational Institutions.	
Appointed on special committee.....	125
Entitled to a seat.....	3
Explains vote.....	822
Introduces Senate Files Nos. 64, 88, 110, 174, 187, 266, 356, 361.	
Leave of absence.....	604
Makes request.....	253, 824, 959
Mileage due.....	48
Motions by.....	257, 261, 497, 1180, 1246, 1275
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 51, 132, 1385
Presents petitions.....	300, 407, 439, 456, 854, 883
Qualified.....	3, 4
TELEPHONE AND TELEGRAPH COMPANIES—	
Reporting telephone exchanges for assessment, House File No. 460.....	1198
Service of notice on, Senate File No. 69.....	157
Taxation of farm telephone lines, House File No. 209.....	362
TELEGRAPHS AND TELEPHONES—Committee on, appointed.....	63
(See Committees, Standing.)	
Railroad commissioners to regulate telegraph companies, House File No. 493.....	1436
Taxation of, Governor's message.....	29
TEMPORARY OFFICERS—Of the Senate, chosen and qualified.....	1
TERM OF OFFICE—Of certain county officers, Senate File No. 329..	823
Senate File No. 332..	855
Petitions.....	959, 1003, 1032, 1073, 1094, 1104, 1132, 1217, 1270
THOMPSON, WILLIAM—Temporary janitor toilet room.....	1
TINGLEY, REV. C. E.—Officiates as Chaplain.....	882
TOOLE, WM.—Pardon denied.....	1227
TOWNSHIP CLERKS—Relative to, Senate File No. 103.....	184
House File No. 16.....	611
TOWNSHIP OFFICERS—Compensation of, Senate File No. 53.....	149
Election of, in new townships, House File No. 27.....	195

	Page.
TOWNSHIP TRUSTEES—Duties, Senate File No. 88.....	167
House File No. 12.....	350
Senate File No. 273.....	542
House File No. 16.....	611
Contract for use of public libraries, Senate File No. 164.....	264
Publication of reports of, House File No. 323.....	793
TREASURER OF STATE—Compensation of deputy—	
Senate File No. 122.....	192
House File No. 168.....	601
Banking department under, to transfer—	
Senate File No. 257.....	503
House File No. 304.....	858
TREATING—To prevent, Senate File No. 297.....	594
TRIBBY, CHARLES H.—To indemnify, Senate File No. 95.....	173
House File No. 143.....	685
TRIAL, NEW—Requirements, Senate File No. 353.....	1033
TROUTMAN, REV. S. F.—Officiates as Chaplain.....	824
TRUST COMPANIES—To regulate, Senate File No. 291.....	591
TRUST ESTATES—Giving bonds, etc., Senate File No. 140.....	202
TRUSTEES—Of Agricultural College, elected.....	1385, 1386
Of State Normal School, elected.....	1385, 1386
TRUSTS—Penalty for operation of, House File No. 474.....	1197
TUBERCULOSIS SANATORIUM—Appropriation—	
Senate File No. 254.....	502
House File No. 338.....	1138
Petitions relative to.....	593, 798, 1179
TURNER, DANIEL W.—Senator Sixth District.	
On standing committees: Military, chairman; Appropriations;	
Railroads; Cities and Towns; Insurance; Elections; Printing;	
Fish and Game; Enrolled Bills.	
Appointed on special committees.....	100, 125, 1342, 1433
Appointed teller.....	43
Entitled to a seat.....	3
Introduces Senate Files Nos. 4, 45, 98, 129, 130, 163, 245, 273, 293,	
330, 345, 351.	
Introduces Joint Resolution No. 5.	
Makes request.....	106, 180, 345
Makes announcement.....	1483
Mileage due.....	48
Motions by.....	7, 116, 260, 295, 356, 454, 478, 575,
615, 708, 835, 864, 871, 895, 955, 956,	
981, 982, 989, 1048, 1072, 1143, 1144, 1155,	
1269, 1288, 1289, 1290, 1375, 1378, 1391, 1397, 1485	
Offers amendment.....	519
Offers resolutions.....	7, 376
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	43, 51, 132
Presents petitions.....	118, 407, 491, 871
Presents gavel to President Garst from Capt. Amos Brandt.....	1484
Presides.....	603, 932, 1243
Qualified.....	3, 4
Raises point of order.....	1493
Signs certificates of election as teller.....	45, 46
Submits report of committee.....	226, 451, 452
476, 493, 494, 515, 524, 740, 1067, 1114, 1482	
TWO-CENT FARES—To provide for, Senate File No. 91.....	167
House File No. 220.....	271
Petitions relative to.....	103, 117, 147, 173, 277, 287, 386
UNCLAIMED DEAD BODIES—Disposition of, Senate File No. 63....	154
UNIFORM POLICY—For fire insurance companies—	
Senate File No. 13.....	118
House File No. 49.....	554

	Page.
UNIFORM SYSTEM OF ACCOUNTING—Relative to, Senate File No. 256.....	502
UNIFORM SYSTEM—Of books, blanks, etc., for certain county officers, Senate File No. 277.....	553
UNITED STATES—Levees built by, Senate Bill No. 104.....	184
Senate Bill No. 105.....	184
UNITED STATES SENATOR—Nominations for.....	124
Election of, by Senate.....	124
by joint assembly.....	133, 134
UNITED STATES SENATORS—Election of, by direct vote, Governor's message.....	22
Constitutional amendment, Senate Joint Resolution No. 2.....	155
VACANCIES—On school boards, House File No. 358.....	857
VAN BUREN COUNTY—To legalize acts of board of supervisors of, Senate File No. 62.....	152
VAN HORN, REV. H. E.—Officiates as Chaplain.....	645, 959
VESTIBULES—On street cars, Senate File No. 192.....	300
VIADUCTS—Construction of, House File No. 156.....	351
VISITING COMMITTEES—Appointment authorized, concurrent resolution.....	107
Appointed.....	125
Mileage and expenses of, Senate File No. 97.....	174
Reports of.....	309, 343
VOORHEES, LIBBIE—Committee clerk.....	100
VOORHEES, EDNA M.—Committee clerk.....	150
VOTE—Canvass of, for governor and lieutenant-governor.....	44
VOTING MACHINE COMMISSION—Additional powers for, Governor's message.....	20
House File No. 98.....	507
VOTING PLACES—In towns in two townships, Senate File No. 321..	778
WADE, JOHN F.—Senator Thirty-ninth District.	
On standing committees: Agriculture; Banks; Insurance; Senatorial and Representative Districts; Telegraphs and Telephones; Mines and Mining; Building and Loan; Penitentiaries and Pardons.	
Appointed on special committees.....	8, 1454
Clerk for.....	100
Entitled to a seat.....	3
Explains vote.....	822
Introduces Senate File No. 239.	
Leave of absence.....	523, 539
Mileage due.....	48
Motions by.....	784, 785, 890, 1093
Permitted to retain old seat, resolution for.....	4
Present at joint conventions.....	11, 43, 132
Presents petitions.....	552, 645, 1435
Qualified.....	3, 4
WAGES—Exemption of, Senate File No. 86.....	165
Petitions.....	357, 358, 375, 388, 406, 407, 456, 553, 578, 592, 725, 883
WAGONS—With wide tires, use of, Senate File No. 199.....	346
WALBURN, REV. A. A.—Officiates as Chaplain.....	39
WAREHAM, REV. GEO. H.—Officiates as Chaplain.....	522
WAREHOUSE RECEIPTS—Relative to, Senate File No. 244.....	457
WARREN, ELMER—Pardon denied.....	1225
WARREN, EDITH—Committee clerk.....	100
WARREN, J. L.—Senator Fifteenth District.	
On standing committees: Corporations, chairman; Ways and Means; Judiciary; Public Lands; Suppression of Intemperance; Insurance; Rules; Mines and Mining.	

WARREN, J. L.—Continued.	Page.
Appointed on special committee.....	125
Appointed on code supplement commission.....	478
Entitled to a seat.....	3
Explains vote.....	873, 874
Introduces Senate Files Nos. 42, 81, 127, 131, 160, 247, 250, 308, 331, 369.	
Leave of absence.....	357
Makes request.....	172
Mileage due.....	48
Motions by.....	222, 547, 548, 573, 591, 604, 607, 608, 633, 634, 658, 664, 677, 679, 680, 707, 722, 772, 811, 932, 948, 1012, 1047, 1057, 1069, 1070, 1188, 1245, 1258, 1297, 1396, 1407, 1420
Offers amendment.....	222
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 51, 132
Presents petitions.....	287, 541, 798
Qualified.....	3, 4
Submits report of committee.....	217, 453, 477, 595
WASHINGTON'S BIRTHDAY—Relative to observance of, resolution.	403
Program reported.....	443
Carried out.....	454
WATERWORKS—Compensation of trustees in special charter cities, Senate File No. 120.....	187
Management of, in special charter cities, Senate File No. 119....	186
WATSON, THOMAS W.—Pardon denied.....	1226
WAYS AND MEANS—Committee on, appointed.....	61
(See Committees, Standing.)	
WEAVER, CHIEF JUSTICE—Administers oath of office to Governor Cummins and Lieutenant-Governor Garst.....	52
WEEMS, GEORGE—Pardon denied.....	1229
WEIGHTS AND MEASURES—Relative to, Senate File No. 319.....	747
WEINLAND, REV. R. S.—Officiates as Chaplain.....	172
WHIPPLE, WILLIAM P.—Senator Forty-fifth District.	
On standing committees: Insurance, chairman; Ways and Means; Judiciary; Penitentiaries and Pardons; Banks; Suppression of Intemperance; Telegraphs and Telephones; Corporations; Manufactures.	
Appointed on special committees.....	615, 1009, 1194, 1433
Entitled to a seat.....	2
Introduces Senate Files Nos. 84, 87, 136, 137, 140, 141, 142, 143, 144, 282, 326, 336.	
Leave of absence.....	237, 253, 276, 287, 357, 473, 913, 959
Makes request.....	40, 47, 112
Mileage due.....	48
Motions by.....	179, 273, 736, 783, 1020, 1021, 1045, 1046, 1047, 1142, 1143, 1340, 1368, 1373, 1380, 1396, 1398
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 51, 132, 1385
Presents petitions.....	102, 127, 128, 147, 501, 578, 854
Qualified.....	3, 4
Submits report of committee.....	129, 188, 189, 545, 546, 572, 596, 607, 635, 647, 714, 832, 846, 1021, 1023, 1089, 1130, 1153
WHITING, WILL C.—Senator Thirty-fourth District.	
On standing committees: Ways and Means; Agriculture; Banks; Constitutional Amendments and Suffrage; Public Libraries; Building and Loans; Rules; Penitentiaries and Pardons.	
Appointed on special committee.....	1479
Clerk for.....	150
Draws seat No. 27.....	4

INDEX

1651

	Page.
WHITING, WILL C.—Continued.	
Entitled to a seat.....	2
Exchanges seat with Senator Gale.....	10
Explains vote.....	822
Introduces Senate Files Nos. 237, 305, 314.	
Leave of absence.....	455
Mileage due.....	48
Motions by..... 774, 895, 968, 998, 1178, 1241, 1292	1292
Present at joint conventions..... 11, 43, 51, 132, 1385	1385
Presents petitions..... 592, 749, 913	913
Qualified..... 3, 4	4
WIFE DESERTION—To punish, Senate File No. 5.....	107
WILKINS, REV. H. L.—Officiates as Chaplain.....	781
WILLIAMS, G. A.—Pardon.....	1227
WILLIAMS, ORA—Secretary to Lieutenant-Governor.....	100
WILLIAMS, REV. W. W.—Officiates as Chaplain.....	749
WILSON, A. C.—Senator Fortieth District.	
On standing committees: Elections, chairman; Appropriations; Railroads; Schools; Congressional and Judicial Districts; Labor; Pharmacy; Building and Loan.	
Appointed on special committees..... 2, 8, 125, 1015	1015
Asks unanimous consent..... 570, 921	921
Entitled to a seat.....	3
Introduces Senate Files Nos. 157, 200, 372.	
Leave of absence.....	238
Makes request..... 112, 473	473
Mileage due.....	48
Motions by..... 8, 150, 286, 489, 505, 712, 935, 954, 1044, 1080, 1081, 1265, 1419	1419
Permitted to retain old seat, resolution.....	4
Present at joint conventions..... 11, 43, 51, 132	132
Presents petitions.. 276, 358, 387, 407, 551, 552, 553, 799, 1003	1003
Qualified..... 3, 4	4
Submits report of committee..... 394, 696, 920, 921, 1218	1218
WILSON, GEO. A.—First Assistant Secretary, qualified... 1, 5, 6	6
WILSON, J. H.—Private secretary to Lieutenant-Governor Herriott... 1	1
Trustee agricultural college..... 1385, 1386, 1389	1389
WILSON, JOHN L.—Senator Twenty-second District.	
On standing committees: Public Lands, chairman; Appropriations; Cities and Towns; Schools; Elections; Military; Rules; Federal Relations.	
Appointed on special committees..... 8, 125, 275, 1278, 1432	1432
Entitled to a seat.....	2
Explains vote.....	822
Introduces Senate Files Nos. 73, 107, 124, 246.	
Leave of absence..... 131, 345, 357, 522, 539	539
Makes request.....	106
Mileage due.....	48
Motions by..... 199, 275, 401, 402, 575, 746, 1029, 1079, 1080	1080
Permitted to retain old seat, resolution.....	4
Present at joint conventions..... 11, 43, 51	51
Presents petitions..... 288, 299, 388, 562	562
Qualified..... 3, 4	4
WINNE, E. K.—Elected regent of state university to fill vacancy..... 137	137
Regent of state university for full term..... 1385, 1386, 1387	1387
WINTON, NATHAN—Monument for, Senate File No. 110.....	185
WOLCOTT, REV. E. C.—Officiates at Chaplain.....	200
WOMAN'S REFORMATORY—To establish, petitions—	
102, 385, 386, 387, 388, 407, 501, 646	646
WOMAN'S SUFFRAGE—Constitutional amendment, Senate Joint Resolution No. 3.....	441
Petitions relative to..... 501, 562, 645, 646, 668, 669, 689, 750, 854, 871, 882	882

	Page.
WOMEN—To vote at school elections, House File No. 439.....	1343
WOOD, ROSE—Committee Clerk.....	117
WRIGHT, G. F.—Committee appointed to draft resolutions on life and services of.....	1339, 1342, 1479
Report submitted	1480
Resolutions	1480
YOUNG, FLORENCE—Committee clerk	99
YOUNG, HENRY—Senator Twenty-seventh District.	
On standing committees: Public Health, chairman; Appropria- tions; Banks; Insurance; Congressional and Judicial Dis- tricts; Elections; Public Libraries; Mines and Mining; Phar- macy; Manufactures.	
Appointed on special committees.....	125, 1346, 1516
Entitled to a seat	3
Introduces Senate Files Nos. 17, 63, 78, 307, 346.	
Leave of absence.....	106, 112
Makes request.....	238, 283, 357
Mileage due	48
Motions by.....	8, 10, 131, 179, 181, 196, 241, 379, 380, 383, 384, 435, 481, 550, 561, 580, 637, 682, 683, 833, 945, 1036, 1037, 1081, 1112, 1122, 1317, 1441
Offers amendment	196
Offers resolution.....	8
Permitted to retain old seat, resolution.....	4
Present at joint conventions.....	11, 43, 132, 1385
Presents petitions	264, 299, 345, 357, 439, 540, 725, 749
Presides	478, 574, 704, 788, 843, 954, 1018, 1122, 1210, 1455
Qualified	3, 4
Seconds nomination of Dolliver for Senator in Congress.....	124
Submits report of committee.....	218, 255, 256, 292, 368, 369, 393, 695, 971, 1229, 1280, 1281
ZA-GA-ZIG TEMPLE OF SHRINERS—Invited to visit Senate.....	709
Visits Senate.....	723